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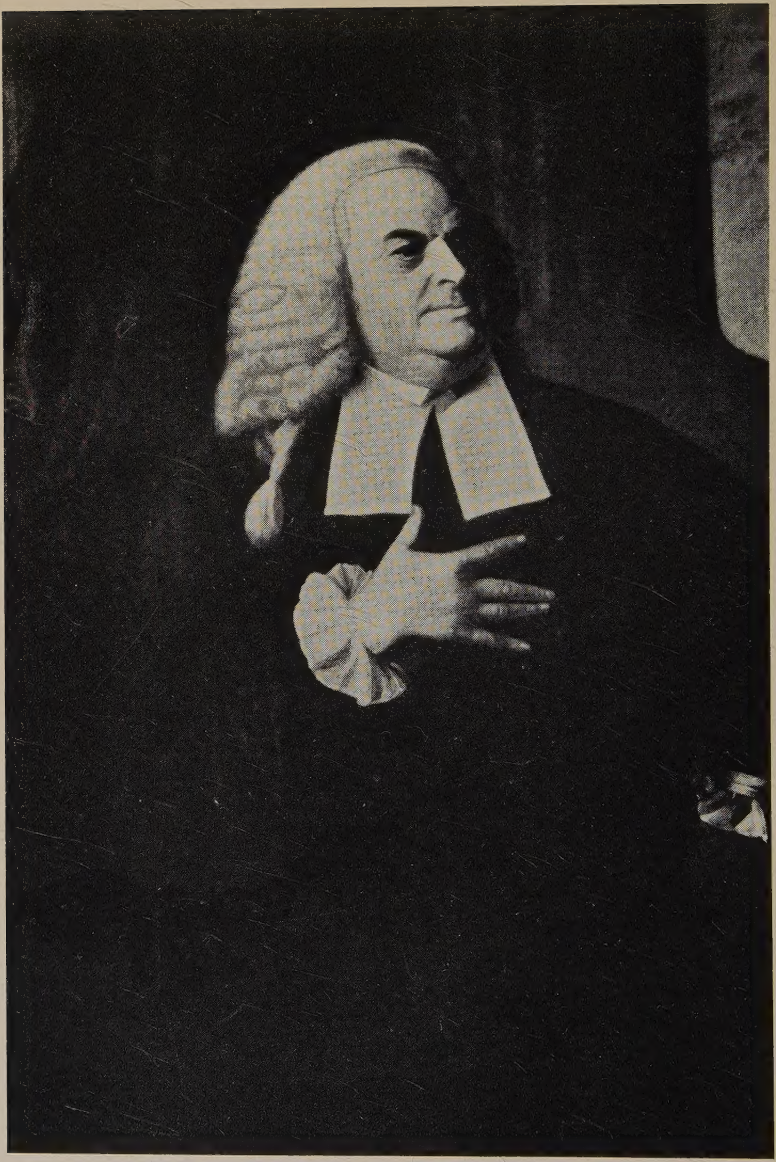
Francis Dana

FRANCIS DANA



RICHARD DANA

A Father of Liberty

FRANCIS DANA, 1743-1811

A PURITAN DIPLOMAT AT THE COURT OF CATHERINE THE GREAT

By W.ill P.enn CRESSON, 1873-1932

Author of "Diplomatic Portraits," Etc.

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TO
DANIEL CHESTER FRENCH

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Chesterwood
Stockbridge
Massachusetts.

CONTENTS

CHAPTER PAGE
I A FATHER OF LIBERTY 1
II A PREFACE TO DIPLOMACY 20
III VALLEY FORGE 36
IV FOREIGN SERVICE 60
V A DIPLOMATIC ODYSSEY 69
VI HIGH DIPLOMACY 85
VII THE REVOLT OF THE WAVES 100
VIII DUTCH COURAGE 116
IX AMERICA AND THE NEUTRAL LEAGUE 134
X A NORTHERN JOURNEY 154
XI A BALANCE OF POWER 167
XII A DIPLOMATIC LAOCOÖN 183
XIII THE ENCHANTED PALACE 196
XIV THE ROAD TO GLORY 214
XV CIRCUMSTANCES AND CONJECTURES 229
XVI AN ENVOY OF TRADE 242
XVII BACK-STAIRS DIPLOMACY 258
XVIII CONJECTURES AND CIRCUMSTANCES 273
XIX RELEASE AND RETURN 296
XX "MASTER JOHNNY" 306
XXI OUT OF THE VORTEX 317
XXII CONGRESS AND CONVENTIONS 327
XXIII A CHAMPION OF THE COMMON LAW 343

CHAPTER		PAGE
XXIV	THE FIGHT FOR NEUTRALITY	355
XXV	FINIS	373
	BIBLIOGRAPHY	387
	INDEX	391

LIST OF ILLUSTRATIONS

Richard Dana . . . . *Frontispiece*
A Father of Liberty

FACING PAGE
Oliver's Oath 18

Francis Dana 34
Member of the Continental Congress

Catherine the Great 102

John Quincy Adams 156

Catherine on Horseback 200

The Commissioners' Letter 278
Announcing the Signing of the Treaty of Peace

Francis Dana 344

INTRODUCTION

That a man of Francis Dana's importance in the American Revolutionary period should have waited so long for a biographer is due rather to accidental circumstances than to any lack of public appreciation. The significance of the events in which he was a participant would alone justify an attempt to record his experiences and adventures. In a versatile age he was in turn a Continental Congressman, a diplomat, and the Chief Justice of Massachusetts. That he achieved distinction in each of these callings was the evident opinion of his contemporaries. His biography was actually undertaken soon after his death in 1811 by no less eminent a personage than Chief Justice Theophilus Parsons. The task, continued by his son, Richard Henry Dana, the poet, was later resumed by the even more famous Richard, his author grandson. But the fragmentary sketches that resulted from their labors were never concluded or assembled in a single volume. It is probable that these failures were due to the lack of data now available, revealing the diplomatic significance of his mission to the Court of Catherine the Great.

The present study of Francis Dana and his time is based upon notes made for these earlier attempts, and upon documents assembled by his closest friend and immediate descendants more than a century ago. They had in view not a eulogy—but a picture of the man himself. "I think," one of them wrote, "it ought to be allowed to the biographer as well as to the painter to draw a handsome likeness of the original; but it ought not to be too handsome." This extract from a letter written by William Ellery to Richard Dana offers a not unreasonable formula for the "Life" as originally planned. The method proposed, with a certain regard for changing biographical fashions, has been followed by the author upon whom, after an interval of a century, has fallen the task of carrying out the unfulfilled intentions of his family and colleague.

The papers of the Dana family, recently deposited in the library of the Massachusetts Historical Society, are a mine of historical information. Their chief interest centers about Francis Dana's intimate exchange of letters with John Adams, (whose more confidential communications lose nothing from the fact that their humor was not intended for the public eye). They also contain letters from the younger Adams (John Quincy), who acted as his secretary in St. Petersburg, and correspondence with Washington, Samuel Adams, Elbridge Gerry, William Ellery, Judge Parsons, Arthur Lee, and Lafayette. Many of these documents, now published for the first time, tell the story of Dana's career in his own words.

Dana first became prominent in revolutionary politics as a supporter of Washington against the intrigues of the Conway Cabal. Next, as one of the improvised diplomats commissioned by the Continental Congress, he was sent abroad in an attempt to secure recognition and sympathy from the great European Powers.[1] Of these envoys, Franklin alone found himself accredited to a friendly Court. Aptly described by Adams in his diary as "diplomatic militia," an earlier group (the Lee brothers and their satellite Izard) had wasted their energies and slender talents in quarrels and intrigues against their own colleagues. After rendering themselves obnoxious to Franklin and to the Ministers of our all-important ally, France, they were at last recalled by Congress, and John Adams and Dana were appointed in their place.

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[1] It is curious to note that the importance of this mission, neglected by American historians, has been realized by a French authority, F. P. Renaut, in one of those "special studies" in which French scholarship excels: "La Politique de Propagande des Americains, 1776–1783: Francis Dana à St. Petersbourg."

For some months the latter played a secondary part in John Adams' none too successful diplomatic adventures in France. Then the ambitions of Catherine the Great to become the Mediatrix of Europe widened the field of American foreign relations. Dana was chosen to be our first Envoy at the Russian Court where he found himself confronted with a delicate and ungrateful task. He was now brought into close and amazing contacts with the peculiar technique of eighteenth century diplomacy. Nor was the position of an unrecognized republican agent among the cynical courtiers and favorites who surrounded the Great Empress an enviable one. The significance of much that has been written in America concerning this period is obscured by a misunderstanding of the real motives and policy adopted towards the United States by the great continental powers. A successful revolution was unwelcome even to the enemies of Great Britain. The sudden emergence of a new republican state across the Atlantic was a disconcerting phenomenon to the European Chancellories. Where Congress anticipated sympathy and support from a "liberal" sovereign opposed to English tyranny—their envoy found only distrust and indifference.

Happily, the phenomena of revolt against the pretentions of Great Britain's imperialism were by no means confined to our continent. As Dana soon realized, the one hope of arousing sympathy for the American "rebels" lay in exploiting an outstanding common grievance. The ever present problem of the "Freedom of the Seas" extended the area of unrest to include the ocean which Britannia ruled with no less tyranny than she showed to her colonies. A possible political connection with the important alliance of the northern powers known as the "Armed Neutrality" was among the earliest aims of our foreign policy. The failure of this attempt at concerted action with a European "League"—was to lead to significant consequences.

Russia during the period of our revolution became on more than one occasion the center and pivot of the delicately poised fabric of the "European System." As the confidential despatches of Harris the British Ambassador at St. Petersburg reveal, Dana's arrival in St. Petersburg corresponded with a veritable crisis in British relations with the continent. The trembling scales of the diplomatic Balance of Power were held by a woman. The great Tsarina's freakish temper—in spite of a certain intuition for statesmanship—was the despair of European statesmen. All northern Europe was ruled by her whims and the fantastic policies of her ministers and favorites. "Alcove diplomacy" was a controlling factor in a situation as extraordinary as any that ever swayed an oriental despotism.

Had a less austere personality than America's Puritan Envoy been chosen to combat the full-favored intrigues of Catherine's Court, the result might have involved the United States in the devious plans and fine-spun policies of the Enchantress. But in holding Dana apart from her favor Harris unknowingly helped to lay the corner-stone for that policy of "isolation" that became characteristic of our diplomacy. Dana's mission was important both with respect to the Armed Neutrality, and in connection with a wider negotiation in which the Tsarina sought to make American affairs the subject of a general diplomatic conference.

Great consequences were to arise from the convictions which Dana formed concerning these matters, and carefully reported to his colleagues in Paris. His views played their part in bringing to a courageous conclusion the negotiations of the British treaty. His disillusions with respect to the Armed Neutrality, and his distrust of the Tsarina's motives in assuming the peaceful *role* of mediator of Europe were equally well founded. Even a desire to end the situation that was distracting two continents was absent from her plans. As will appear, the views impressed by Dana upon John Adams and the Continental Congress concerning "entangling alliances with Europe" (perhaps the term itself) were the outcome of his mission to Catherine's Court.

Dana's diplomatic career now appears to offer the most significant and interesting chapters of his life, but in his own estimation a long connection with the law (while holding the high office of Chief Justice of Massachusetts) was of even greater importance. His efforts were directed towards an adjustment of the traditions of the English jurisprudence to the needs of the new republic. In this connection his decisions had an important bearing upon the development of the Common Law—even upon the retention of "foreign principles" now basic in the legal system of New England. His career while presiding in the Supreme Court also included the earlier legal battles fought to secure the freedom of the American press. These matters are, however, interesting chiefly to lawyers and students of history. Dana's services in this respect (as well as the important part he assumed in the Massachusetts Constitutional Convention as a supporter of the principle of federation) will be more briefly treated in the following pages.

FRANCIS DANA

CHAPTER I

A FATHER OF LIBERTY

I

IN the early years of the last, already remote century a familiar figure of the winter landscape of Cambridge Common and the precincts of the Harvard Yard was an elderly gentleman "stooping and of studious face" wearing "a fur cap and a white Russian cloak." [1] A large muff completed a costume, which, except for its oddity, was no less appropriate to glacial New England than to the shores of the Neva. Nothing in the demeanor of this strangely clad figure tended to excite critical remark. Even the most derisive among the students of the college passed Chief Justice Francis Dana with a respectful salute. He was known to the academic circles of the town as a man of conservative ideas, a staunch Federalist, sharing their prejudices against the new-fangled democracy of Mr. Jefferson. The fur-lined *shuba* was the only eccentricity allowed himself by a man devoted to the soundest Boston traditions. It represented the one romantic memento of a long career devoted to legal achievement rather than to adventure.

So foreign, indeed, was the character of Francis Dana to the diplomatic scene in which he had played no inconspicuous a rôle that even before his death these events were well-nigh forgotten. The chain of curious circumstances which linked the career of a grave Boston lawyer with the scandalous court of Catherine the Great seemed, as the past needed, to sink into desired oblivion. Unlike his friends and colleagues, Adams, Jay, and Franklin, he took no interest in self-vindicating memoirs. The story of Francis Dana's mission to Russia has long remained an obscure chapter of American diplomatic history.

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[1] Sullivan.

The history of the Dana family, like that of the renowned House of Adams with which its annals are often closely related, is somewhat devoid of pioneering romance. Without offense to republican traditions, both of these clans offer a sample of the slow-built American aristocracy typical of New England. Both sagas begin, modestly enough, with the coming of a plain English townsman to a land of bleak democratic opportunity. Richard Dana, the first of the name in the new world, came from the neighborhood of Manchester [2] soon after the first settlement of the Bay Colony. His son, Daniel, was honored by the suffrage of his neighbors with the office of Constable—in that simple community a position of some distinction and repute. Each succeeding generation of Danas produced at least one scion capable of maintaining the family reputation for upright public service. The name appears not infrequently in the earlier chronicles of the Commonwealth. There were Dana selectmen, schoolmasters, and—according to family tradition—one inveterate office holder proudly served his fellow townsmen in the capacity of kineward. With the coming of the troublous revolutionary time, they had achieved a definite position of leadership. Typical of this generation was Francis Dana's father Richard who was born in the opening year of the eighteenth century.

A native of Cambridge, Richard Dana was the first of his family to graduate at Harvard College (class of

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[2] Dana Notes.

1718). During the years 1720–23 he taught as a master at the famous Academy which still exists under the name of the Roxbury Latin School, while preparing himself for a legal career. In 1738 he was elected from the township of Marblehead as a member of the General Court of Massachusetts. In 1787 Richard Dana married the sister of a fellow member of the bar, Judge Edmund Trowbridge. Of an old Cambridge family, Lydia Trowbridge belonged to a wealthier, more solidly established connection than her husband. In Charlestown—where as the records of the First Congregational Church reveal they spent these early years of married life—their fourth child Francis was born on June 13, 1745.[3]

Ten years later the young couple removed to their native Cambridge, and settled in a large house on the outskirts of the town, situated on property belonging to Judge Trowbridge, "a large landholder in Cambridgeport." The latter was now in a position to advance the fortunes of Richard Dana, who was soon elected a magistrate of Boston, where with John Ruddock, Edmund Quincy, and Samuel Pemberton he dispensed the King's justice in "scarlet cloak and white wig." [4]

As an officer of the Crown, Richard Dana soon found himself on the high road to such fame and fortune as the colonial capital might offer. A portrait at this time by his friend Copley (Frontispiece) shows him to have been the very type and essence of the pre-revolutionary official, a Judge and man of the law. The authority, not to say pomposity, that radiates from this masterpiece of colonial art was never the result of sudden favor. Yet under the robes and trappings of his royal office the sturdy republican and patriot was already present.

A man of substance among his neighbors, he was early critical of the public administration. Although the Tory connections of his family had helped him to preferment, his sympathy with the popular party was always evident. Unlike many of his fellow New Englanders who accepted favors from the London ministry, Judge Dana never lost the confidence of his fellow Bostonians. When Samuel Adams, the "Meteor of Democracy," suddenly found his flaming course across the revolutionary horizon interrupted by an ugly shortage in his accounts, that brought him "into discouraging circumstances," Dana with Hancock and Otis came to his relief.[5] A committee of Boston citizens who in 1764 banded together "to encourage public frugality" chose him as their Chairman.

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[3] Wyman.
[4] Coffin.

II

The younger Dana, Francis, grew up in the midst of changing times and contending influences. Judge Trowbridge, his uncle, was an outstanding figure of the older colonial society. In the biographical notes left by William Ellery, the latter's portrait appears, drawn by a slightly critical pen:

> Mr. Trowbridge was a courtier, and a seeker of popularity. By a courteous and polite behavior to the great he acquired their attention and esteem, and by descending to a generous and familiar treatment of the lower order, he procured that popularity he sought after. He was possessed with a spirit of Intrigue, and had too great a partiality for matchmaking. These may be consider'd as blemishes in his character, but they ought to be favorably viewed. I think I have been *particular* enough in delineating what appeared to me to be the character of Judge Trowbridge. Gratitude obliges me to add, that, from the time I first became acquainted with him he treated me with more than civility, and altho' he had no concern in my courtship with his Wife's sister, such was his regard for her, that he made a handsome entertainment at our nuptials, and presented her with a number of articles for housekeeping.

[5] S. Adams.

Ellery's unpublished letters among the Dana Papers also give a curious picture of the social disturbances wrought by the fast rising tide of the Revolution in the fabric of Cambridge social life. The fact that the highly unpopular Tory Governor Hutchinson, the Olivers, and the other American adherents of the King's party were all familiar figures in the Trowbridge-Dana circle made the earlier days of the Revolution a time of difficulty for families with interests in both camps:

> With your grandfather Dana I had not a particular acquaintance; but I had the opportunity to see him when he visited Mr. Trowbridge, and from my own observation, and the information I had from others, I trust I may venture to say, that he was a good classical scholar, and was well acquainted with Jurisprudence, and general literature, and a zealous, intrepid son or *Father of Liberty*. He had, in a robust body, a sound and vigorous mind; his passions were strong and when excited they bursted forth in ardent and energetic expressions. One day on entering the kitchen next the parlour, not long before dinner, I found Mr. D. & Mr. T. engaged in a dispute on the political character of Gov. H. Mr. D. was bitter to him, and all on fire: his face was inflamed and enpurpled, he thundered and lighten'd. Mr. T. tried to defend him but he, being on the wrong side, and subdued by the vehemence of his antagonist, was as pale as death, and could hardly speak. Happily dinner was announced, and put an end to the conflict. Mr. D. whose corporal appetites were as keen as were his mental passions suffer'd no diminution by the war. He seemed not to eat to live; but to live to eat. Never were, I believe, a mind and body better adapted to each other. At another time, about dinner time, I, on entering the dining parlour saw the table spread, and the sideboard cover'd with tankards, bottles, and tumblers, etc., etc. Mrs. T. soon came downstairs to see, as usual, that everything was in order, when casting an eye on the side board, she saw with surprise how it was charged and immediately called out loud for York. He appeared. Why did you put all these things on the sideboard? La, Missey; Massa Dana is in the office and is going to dine with us.

III

The censorious Boston of our own day when compared with the late eighteenth century capital known to young Francis Dana reveals a curious measure of Novo-Anglican ideals of personal liberty. In the older city Puritan concepts of political rights and wrongs offered a strange contrast to the standards of individual conduct that were rigorously maintained by public opinion and the law. The capital of the Bay Colony was no longer a City of Saints, and the civil government had long since passed from the hands of "rulers of Congregations" like the Mathers. But the rigorous Sabbath-day rules were still observed and the private morals of the citizens were as rigidly supervised by the town authorities as in the Golden Age of Puritanism. The stern old order which the pioneer clergy had established still governed the administration of the courts. Untempered by the indulgences which the restoration of the popularity-loving Stuarts had brought to the English bench, the King's justice overseas still favored the ideals of the Protectorate. The two Testaments were considered the only true foundation for the law of a chosen people. Colonials, Whig and Tory alike, were unitedly set against disintegrating forces that threatened the proprieties.

To preserve the simple virtues of the pioneer days was no easy task. Boston, now a great harbor for ships, was filled with imported perils. Runaway apprentices, half-pirate slavers from the Caribbean, self-styled merchants and other adventurers filled the streets near the waterside. Here also dwelt their female companions in the more obscure alleys and byways. Bibles and prayer books formed no part of the baggage of this newer generation of immigrants. To young men of good family like Francis Dana the mysterious fascinations of this world of the docks and wharves were probably not unknown.

But they were a forbidden land, infinitely remote from the quiet streets of the more respectable quarters of the town which a son of Judge Dana would naturally frequent.

Unpublished Dana papers reveal in a strangely intimate fashion the day-by-day contacts of a Justice of the King's Peace with the law-breakers of the pre-revolutionary capital. A sample of Boston "freedom" is offered by the yellowing pages of the record of the "Pleas before Richard Dana Esq. (Suffolk County)." These entries begin April 19, 1760, and end December 5, 1767, thus covering the years during which the American "Theory of Liberty" was developed, under the lash of the Townshend Acts, the Stamp Act, and the Excise Duties bearing on tea and sugar. For the diversions of theological debate the New England colonists had substituted a new form of speculative philosophy concerning the nature of their "rights." Yet in contrasting his lot with the average Londoner a citizen of Boston might well have inquired who was, indeed, the freer man. Morality, like dress, has its fashions—and in the eighteenth century the New Englander was notably satisfied with his own standards of right and wrong. He was at least spared one invented "crime" of our own day. Interference with the consumption of wine and spirits may have been judged unpatriotic in view of the intimate relation between taxed molasses and Medford Rum. The place of this minor tyranny was more than filled by other rigors, as the following entry will show (Suffolk County Pleas, 1760):

"Nov. 26. William Richards of Biddeford in ye county of Devon in Great Britain mariner being taken & bro't before me for oaths in Boston afores'd. In ye hearing of ye constable, he being unknown to ye constable, & being accused of the offence ye William confesseth himself guilty thereof; Judg'm'. that he pay a fine of 6/ for ye first oath afores. &

2/ for each of ye other oaths, for ye use of ye poor of Boston & pay costs tax'd at 5/9."

That William Richards was a sailor exercising a time-honored privilege of his calling seems to have had no mitigating influence upon his case. He but shared the common lot. The shocking record of this form of delinquency is completed by the heroic example of young Henry Price, whose self-denunciation seems in some way to have escaped immortalization in the Sunday-school libraries of our fathers:

"1760. Feb. 27. Henry Price, junior, of Boston a minor of fifteen years old, came *gratis* and confessed himself guilty of uttering one prophane oath, on ye 26th of Feby. in street in evening, in Boston, jug'd that he pay a fine of 4/ to ye use of ye poor of Boston and pay costs, standing comit. etc. Fine and costs paid. Paid over to Town Treasr."

Before the unregenerate days of Sunday golf, the perilous sport of Sabbath-day "loitering" and "Sunday walking" was indulged in by the fearless youths soon to bear muskets in a war against "English oppressions" in defense of the dearly won "liberties" of American citizenship:

"1761. March 25. Saml. Dexter complaint. agt. John Nelson for unnecessarily walking & loitering in ye street on ye Lord's day, as by ye warrant. on file, etc. Ye said John pleads that he is not guilty. Upon a full hearing it appears that ye walking was not unnecessary, but it appears that ye John refused to give ye complainant (who was then a warden, etc., in ye due execution of his office) any reason for his walking. Therefore it is considered by me that ye John give security in L 5. for his appearance at ye next court of Gen. Sessions, etc., and be of good behavr. etc. Trueworthy Foulsom of Boston recognised accordingly for ye John, who is an infant."

Finally, in the net of justice so patiently cast by Justice Dana at least one important catch is recorded concerning which history has so far been silent:

> "60. May 11. Thos. Fosdick complt. agt. Paul Revere for a grave thing etc. Beating of compl't. as by ye war't. on file, Def't. pleads not guilty, after a full hearing it appears he is guilty. Judged that he pay a fine of 6/8 to ye King and pay costs tax at 12/9/. And be bound to keep ye peace and be of good behaviour until ye next Session and bind himself in L10 with 2 Sureties, in L 5 each, stands convicted till performed. Paul Revere principal recog. in L 10 Nath. Fosdick hatter and Joshua Brackett coppersmith, both of Boston, Sureties in L 5 each to keep ye peace and be of good behavr. until ye next court of Gen. Sessions etc.

IV

As already suggested, an Englishman casting his eyes over the list of curious delinquences revealed by Judge Dana's book of "Pleas" may well have asked himself what Boston could know of "liberty"! King George's capital was still the London of the Coffee Houses, where the wits plied their trade and the graces and pleasures of the Restoration, though slightly eclipsed by the taste of the reigning German dynasty, were still cultivated. To the "oppressed" Briton of that day the spectacle afforded by the doleful régime of the Northern colonies must have seemed an uncomfortable reminder of the petty inquisitions and tyrannies of the Cromwellian Saints. Attempts were even made in London to encourage a more liberal spirit in the colonies. (A standing grievance with the immaculates of Boston arose when the Established Episcopalian church endowed their town with a branch of its "Missionary Society for the Propagation of the Gospel to the Heathen.") Among the colonists themselves a voice was occasionally raised against the intolerance of the "old order." If not actually a leader in this movement towards liberalization, Judge Richard Dana occasionally lent his support to its more conservative manifestations.

The Puritan authorities of the General Court, always sensitive of their dignities, were especially resentful of anything like public criticism of their official acts. In October, 1754, an anonymous pamphlet entitled, "The Monster of Monsters," ventured to criticize an oppressive excise bill passed by the Assembly. What would to-day be regarded as a harmless bit of political satire, offended the humor of the colonial legislators who described such conduct as "horribly prophane and impious." The scandalous pamphlet was ordered burned by the hangman.

Daniel Fowle, the suspected printer of the libel, was, with several apprentices, haled to the bar of the outraged House of Representatives. The terrified printer confessed his crime and implicated others. Confined in the common jail for five days, he soon recovered his spirit after his release, and believing himself harshly treated, appealed to Judge Dana as a man of known liberal ideas. Suit was brought in his favor, Dana holding that the official position of the defendants was no bar to an action against them for unlawful acts.[6]

For more than two years the case dragged through the courts, while the printer-author capitalized his misfortunes by writing an account of his legal woes under the ominous title, "A Total Eclipse of Liberty." But the spirit of reaction prevailed. Final judgment, rendered in 1757, saddled Fowle with substantial costs. He moved to the jurisdiction of New Hampshire to avoid payment and his printing business was ruined. Humbly petitioning a later House, he obtained with Judge Dana's help a "relief" to the amount of twenty pounds "on account of his sufferings."

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[6] Duniway.

V

The custom once observed at Harvard College of "placing" the members of the freshman class according to the social position occupied by their parents in the community—gives an almost mathematical standard for judging of the rise in the fortunes of the Dana family during the lifetime of Richard, the father of Francis. When the former entered college as a member of the class of 1718, his name was inscribed fifteenth upon the roll of a class of nineteen. His son, admitted to the class of 1762, found his name "placed" far higher on that famous official list, which, "written in large German text," was hung in "a conspicuous part of the College Buttery."[7] In a class of forty-seven, young Francis' name stood sixth, while the five fellow students who preceded him bore the names of Hutchinson (two), Danforth, Oliver and Winslow, all sons of high officials of the colony. While some disciplinary reason—such as the terrible punishment of being "degraded"—may have accounted for the elder Dana's humble place upon the Harvard roll, it is more probable that his fortunate marriage with Miss Trowbridge, as well as his own distinguished career, offered the sufficient reasons that raised his son to a more exalted position forty-four years later.

The years of young Francis Dana's stay at Harvard were the last months of tranquillity that the old Colony was to experience. On the 14th of August, 1765, occurred in Boston the first outbreak of popular resistance to the Stamp Act. Earlier in the year the news that Parliament had decided to give effect to George Grenville's mad "resolves" had been greeted with a funereal tolling of the city church bells as in a time of calamity. The colonial shipping in the harbor lowered their flags to half-mast. But such signs of public distress—like the famous "illegal" town meeting held in May—were mere orderly protests and denials of the right of the British legislature to tax the unrepresented colonies without their consent. The determined decorum of these proceedings was little to the tastes of the more ardent spirits of the town. To voice this indignation, a new popular order sprang into existence. Among these "Sons of Liberty" were men still terrified by the word "treason." In the year 1765, the demonstrations of this society were however to write the early history of the Revolution.

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[7] *Crimson.*

The polemics concerning "natural rights" and other fine points of the legal discussions carried on by the scholarly Otis with the lawyers of the Crown had somewhat mystified the commonalty of Boston. In the intention, finally declared by King George to levy his Stamp Act, they welcomed a grievance that was, at least, understandable. Here was something that the mind of the ordinary man could grasp without headache. In New York a lodge of the "Sons of Liberty," most of them workmen and mechanics, had already been formed. They were named from a fortunate and telling phrase used in Parliament by Colonel Barre in defending the rights of the colonists. Both the Danas, father and son, were connected with an earlier association formed among the lawyers and the more learned liberals of Boston. This "Caucus Club," with a not unpleasant ritual of toasts and tobacco burning in honor of "liberty," gave an example to Swift and Mackintosh, the leaders respectively of the "town gangs" of the North and South "ends." These heroes now saw an opportunity to sink their trivial local differences. They became "patriots." In place of rowdy battles and the "stone fights" of Guy Fawkes' day were substituted the finer civic thrills to be drawn from a common resistance to oppression.

A Tory friend of Judge Trowbridge and the Dana family—Andrew Oliver, Secretary of the province and a brother of its Chief Justice—soon obliged the Boston "Sons of Liberty" with an occasion for their ministrations. This thrifty place-holder had been ill-advised. In anticipation of a brisk demand for the unpopular stamps, he had actually solicited the office of "Distributor" for the taxed papers. Further, ignoring the popular protest, he had erected near the custom house a convenient office for his unpatriotic purposes. The rough-humored of the town were soon gratified by the spectacle of his public disgrace. One August morning an effigy of Oliver was found—hanging by its neck from the branches of a great elm tree in the eloquent company of an old boot and a tattered petticoat. The symbolism of this strange fruit was well understood—the Wilkesite riots of London having long since suggested such delicate allusions to Lord Bute's tender influence in the Queen Dowager's councils. All day the "Sons" stood guard about their manikin, and at night a mob clamored through the streets bearing Oliver's effigy to a "mighty bonfire" lighted on King's Hill.

Events yet more stirring and unlawful ensued: the burning of Oliver's "tax house" and, more regrettably (a few days later), the sack of the unpopular Governor Hutchinson's mansion with its irreplaceable collection of historical documents. The part played by the new patriotic union was praised or deplored according to the views held by the citizenry. A whole grove of "Liberty Trees" sprang up in Boston and in the neighboring towns: young buttonwoods "well-set, well-guarded," each bearing the pert inscription, "Cursed be he who cuts this Tree."[8] On the fifth of November the new society paraded openly, with their leaders in "military habits, small canes resting on their left arms, and music in front and flank."

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[8] J. Adams.

On November 4, 1765, Judge Richard Dana wrote to his son Edmund (who, married to a daughter of Lord Kinnaird, was living in England) concerning the obnoxious stamps:

> Ye British colonies on this continent (unless Nova Scotia may perhaps be excepted) being universally determined not to take or use them . . . no debt can be sued for or recovered. Everyone will be at liberty to withhold payment of ye most just debt untill ye Act be repealed and if it be not done I expect dreadfull time by mobbs up and down in ye country as well as in great and Seaport towns. The people are everywhere so universally incensed against it, that if it continues there will be no living here in peace. They must unavoidably stop ye consumption of ye Engl. woolen and silken manufactories, etc. For my own part I have not bought a new coat since you left B. Nor will I as long as my old cloath will hang whole on my back. . . . This frugality in dress will be very much practised and shall be prompted far and wide to ye utmost of my power untill ye Act be repealed.

VI

It is not probable that the Danas and the grave lawyers who formed their circle of friends approved the doings of the "Liberty Boys" and Mackintosh "Gangs." From Adams' diary we learn of another patriotic club consisting of "John Lowell, Frank Dana, Josiah Quincy" and "other young fellows." These Harvard students prepared "arguments *for* and against the right of Parliament to tax the colonies" and their debates were probably far too judicial to suit the spirit of the "townies" and "red bloods" of the better known organization. From the "Savage Papers" it may be inferred that all these secret societies worked hand in hand, and that an inner group known as the "Loyal Nine" directed their common efforts, "not a little pleased that Mackintosh has the Credit for the whole affair."

From New York came news of more image-burning and accounts of a bonfire that consumed the Governor's official coach and barge. In London ministries fell and the great Pitt delivered orations to prove that the resistance of the colonies to the Stamp Act was justified by the British Constitution. But Grenville only talked even more energetically of force.

The local troops who had marched—and fled—with Braddock and the other generals sent overseas to protect the colonists from the redskins had lost many of their illusions regarding Britain's unconquerable regulars. The threats that more "lobsterbacks" would be sent to reduce Boston to submission were lightly treated by the new, secret militia of the "Liberty Boys." The vicarious hanging of Oliver had been an anonymous political prank. Yet the mob-spirit that did not hesitate to insult the Royal family itself was significant of a new temper abroad among the people of New England. Judge Trowbridge, with whom young Francis Dana was studying the Common Law, had long since written concerning military affairs to his friend William Bollan, the English lawyer who advised colonies in legal matters. The horizon was darkening:

> The People in general thro' the four New England Governments seem to be very much dissatisfied and there is such a general uneasiness that I believe it will be very difficult to prevail with either of those Governments to raise any men to be under Command or join the Regulars. . . . To prevent the ill Consequences that may attend any misrepresentation of those affairs, here or at Home, I have repeatedly urged many of the Members of the General Court to get the Facts ascertained and send them to you duly attested, but I fear Nothing of this Nature will be done, as every man seems to be affraid to make the Enquiry; on this Head I shall only add, that what is done, as well as what

is proposed to be done, for the Annoyance of the Enemy, is kept a profound Secret here.

VII

Among the Boston gentry there were few prepared to resist Parliament by force. They had reasons of their own to distrust the "levelling spirit" abroad in their streets and "the madness and desperation of the common people."[9] Shocking instances of disorder, some real, many more imagined, were being reported by Governor Bernard to a somewhat bored and incredulous Government. The colonial militiamen who had seen Braddock's regulars in action were inclined not only to rely on their own prowess in possible future struggles with the Indians and Canadians but also to underestimate threats of martial coercion by the home government.

The news that Royal Troops were to be used in enforcing the obnoxious laws ran like wildfire through the colonies. Nor was the year 1765 to pass without a more formal protest from Boston's "Sons of Liberty." Many private acts of resistance to the "Stamp Officers" had occurred. Once again the conduct of the unfortunate Oliver was to give cause for a public manifestation. It was moreover significant that the participants in this second more deliberate and carefully planned "disturbance" were drawn from every rank of life. Men like Judge Richard Dana and Mackintosh—the lawyer and the shoemaker—joined in assuming full and open responsibility for these acts. The events of December 17, 1765, involved both riot and treason. Although recorded in the pages of Adams' patriotic diary and in Hutchinson's less prejudiced account—they appear to deserve a more significant place than later historians have generally allowed them.

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[9] Adams.

"In August," wrote Adams, "Boston witnessed an outbreak such as she had never witnessed before." Far more significant than any mob violence, this second ceremonious degradation of the Distributor Oliver was a preface to revolution. "Under the very tree of liberty, nay, under the very limb where he had been hanged in effigy" and under "circumstances extremely mortifying and humiliating" a King's officer was now to require another to assume "the absolute requisition of an oath," [10] that he would refuse to carry out the orders of Parliament.

The event outlined above occurred, as we know, from Adams' account, in front of Judge Dana's house in Hanover Square. In spite of "a severe storm" and "a vast quantity of rain" an orderly crowd had gathered with ominous intent and stood patiently waiting under the downpour. Bad weather is the friend of dynasties and the established order, yet "two thousand people, Sons and Daughters of Liberty," were assembled "before the time." They were, moreover, patient and orderly. When Oliver appeared, it was seen that "several of his friends accompanied him." The little group was ushered forward by men more than suspected of leading the mob which had destroyed the Lieutenant-Governor's house. Mackintosh "attended him at his right hand, a great number following." As this orderly procession (which must have included the younger Dana and the Loyal Nine) approached "the house before which the tree stood," several of the selectmen and its owner, Judge Dana, appeared at the door. The latter held in his hand a form of oath already prepared. The signature of the twice humiliated Crown official was affixed and "after three huzzas he was at liberty to return home." The crowd, still orderly, hastened away under the rain. This document which, the author-great-grandson of Richard Dana proudly recalls, subjected the Justice "to the penalties of treason according to the construction of those days," reads as follows:

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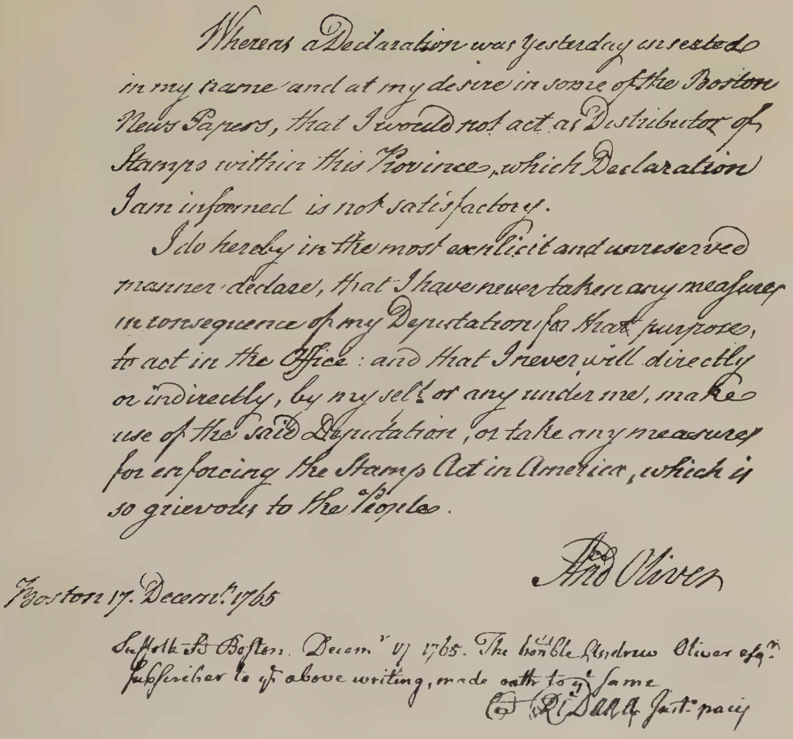
[10] J. Adams.

> Whereas a Declaration was yesterday inserted in my name and at my desire in some of the Boston News Papers, that I would not act as Distributor of Stamps within this Province, which Declaration I am informed is not satisfactory.
>
> I do hereby in the most explicit and unreserved manner declare, that I have never taken any measures in consequence of my Deputation for that purpose, to act in the Office; and that I never will directly or indirectly, by myself or any under me, make use of the said Deputation, or take any measures for enforcing the Stamp Act in America, which is so grievous to the People.
>
> And^{w} Oliver
>
> Boston 17. Decem.^{r} 1765
> Suffolk St. Boston. Decem.^{r} 17. 1765. The hon'ble Andrew Oliver Esq. Subscriber to ye above writing, made oath to ye same.
>
> Ri^{c} Dana, Just.^{e} peace.

The significance of Judge Dana's courageous act was soon forgotten. A deceptive calm preceded the storm. Yet the minor historians of the Revolution remembered his name with honor. In the patriotic folklore of Hawthorne's "Tales of a Grandfather," a vivid picture is given of the Judge dispensing the people's stern justice beneath the "Liberty Tree." To him belongs the honor of first standing forth with the chosen leaders of the common folk at a time when most men of substance and position lurked in the shadowy background inciting "the mob."

The closing period of Richard Dana's life were years of patriotic example for his son. In connection with the Boston Massacre of 1770, he played a brave part, sitting as committing magistrate with another patriot judge, Deacon John Tudor, in the legal inquiry that ensued.



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manner declare, that I have never taken any measures
in consequence of my Deputation for that purpose,
to act in the Office: and that I never will directly
or indirectly, by my self or any under me, make
use of the said Deputation, or take any measures
for enforcing the Stamp Act in America, which is
so grievous to the People.

And Oliver

Boston 17. Decemr 1765

Suffolk ss Boſton. Decemr 17 1765. The honble Andrew Oliver eſqr
ſubſcriber to ye above writing, made oath to ye ſame
Coram Richd Dana Just. pacis

OLIVER'S OATH

The first Treasonable Document of the Revolution

They boldly sent the unfortunate British Captain Preston "to Gaol . . . having evidence sufficient to commit him on his ordering the soldiers to fire."[11] In March, 1771, we find him on a committee to return thanks to the "Irish patriots of Dublin" for their expressions of sympathy regarding the same "horrid" event. On behalf of the "Sons of Liberty" he maintained a long and delicate negotiation with the leaders of the Wilkesite party in London. When the riots and disorders provoked by Wilkes seemed about to revolutionize the British capital, he began the negotiations with that party which later sent his son to England as the Envoy of the American liberals. Before his untimely death in 1772 Judge Richard Dana took a part in the stirring events that marked the dawn of American liberties. Presiding with Adams, Otis, Hancock and Warren at the famous town meetings at Faneuil Hall and the Old South Meeting House, he joined with these patriots in their well-reasoned appeals to the King, and helped inspire the spirit of liberty that spread across Massachusetts like a devouring flame from Boston to the Berkshire frontiers. President Adams spoke of him in later days as "one who, had he not been cut off by death, would have furnished one of the immortal names of the Revolution."[12]

[11] Notes.
[12] J. Adams.

CHAPTER II

A PREFACE TO DIPLOMACY

I

THE death of his father left young Francis Dana in the possession of a moderate fortune, but his inheritance included a not inexpensive tradition of determined patriotism. The oppressive measures of Governor Hutchinson, notably the appointment of the "Mandamus Judges," had greatly reduced the business which might properly be transacted by lawyers of the patriot party. At the beginning of his chosen career young Dana found the bar of Boston "in desperate straights." Like many another Whig practitioner, he found a welcome outlet for his talents in politics. John Adams was improving his enforced leisure in the same manner. With this colleague, Dana acted in defense of a group of Rhode Island "rebels" who had rashly ventured to publish some of Hutchinson's private and compromising correspondence with the London Ministry. Devoting more time to this "disloyal" business than to their own affairs, both began to look forward to public careers. A warm friendship was formed between the two young men, not unlike in character and ambition.

Yet Tory influence had not been absent from the Cambridge family circle in which Francis Dana had grown up to manhood. Participation in public affairs had not come suddenly to his family, as in the case of the Adamses, "Sam and John." His uncle Trowbridge's regrettable opinions must, however, have been reserved for his own guidance. All the pupils of this loyalist barrister, including his nephew, became leaders among the "patriots." Young Dana's companions in his uncle's office included such revolutionary fire-brands as Rufus King, Christopher Gore, Theophilus Parsons, and H. G. Otis, student-lawyers who furnished many sound legal arguments for resistance to the tyrannies of the King's officers. Another member of this group was Royall Tyler, who later abandoned the law to become the poet and dramatist of the Revolution.[1] Association with these young men had formed the younger Dana's political views.

In less troubled times the elder Dana's well-established reputation might have served as a background to his son's legal career. Writing just before the Justice's death, Gridley, the historian of the Boston bar, speaks of the few capable practitioners available, and of a "group of eminent young lawyers of considerable law learning," including among others, "John Adams, Josiah Quincy, Jr., Theodore Sedgwick . . . and Francis Dana," to whom he looked to preserve the fine tradition of the close corporation of *noblesse de la robe* to which these families belonged. But in adhering to the "patriot side," at a time when Tory lawyers were reaping their last rich harvest of places and foreign business, Francis Dana's earlier career was ruined. He now took an important, if imprudent step, that he was never to regret.

It was his sound principles, rather than his prospects, that gained young Dana a wife. Between Whigs and Tories now yawned a social abyss. The cleavage between the old and the new ideas of liberty was fast disrupting the old order of life. On August 5, 1773, he was married at Hampton, New Hampshire, to Elizabeth, daughter of William Ellery Esq., of a family long prominent in Newport, Rhode Island. That crotchety patriot subsequently wrote that he approved this "intermarriage" only because his new son-in-law was "intimately concerned in all the plans and operations" that "conducted to the establishment of our independence."[2] The young couple went to live on what was already known as Dana's Hill in Cambridge, but their short honeymoon was soon interrupted by public duties.

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[1] Parsons.

Some twelve months later Dana headed the spirited opposition made by the Boston bar "to offering a complimentary address to Governor Hutchinson on his departure to London."[3] The same matter, pursued with a tenacity that its importance scarcely justified, ostensibly induced him to cross the ocean in the patriot interest. Besides other reasons of a secret nature, a well-founded suspicion that Hutchinson, though a native of New England, would use his influence at the British Court in a sense contrary to the wishes and interests of the liberals of Boston led them to choose Dana as their unofficial representative in London. Franklin, the official Agent, was about to return, worn out by his struggles to find a peaceful solution for the impending crisis and it was doubtless believed that the presence of a native Bostonian at the capital was desirable.

The Wilkesite riots also held out an illusive hope that a large party of the City were prepared to support the cause of the American radicals against Parliament. But Dana's mission, as his father-in-law wrote, was mysterious enough to be looked upon as a "nine day's wonder." A less patriotic family than the Ellerys might have found fault with the decision made by the young bridegroom. He set out, however, with their approval, ostensibly to visit his brother, the Reverend Edmund Dana who had long resided in England.

But even his father-in-law, who subsequently attempted to explain Dana's adventure, was only partially

[2] Ellery Papers.
[3] Pa. Magazine.

informed concerning the reasons that determined his London journey:

> On the 19th of April, 1775, the British began hostilities at Lexington, and two or three days before that event he sailed from Newport, where he had engaged a passage, for England. His departure at that period, indeed, created comment from some persons, who differ'd from him in political principles, and represented his conduct in this instance in a bad light.

II

The mystery which long surrounded Dana's secret mission—the preface to his subsequent diplomatic career—has recently found an explanation through the discovery of letters preserved among the Wilkes papers in the British Museum. A high admiration had long been felt by the liberals of Boston for that profligate lover of liberty. John Wilkes was considered by the Whigs on both sides of the Atlantic as their champion. The King's ill-advised policy to restore the absolute prerogatives of the crown had met its first resistance, not in the colonies, but in his own capital. When Wilkes as editor of the "North Briton" published his famous libel "Number 45," these cabalistic numbers were everywhere chalked upon the brick walls of Boston in imitation of similar numerical manifestations in London that spared neither the marble façade of the royal palace nor the gilded coaches of the foreign ambassadors.[4] In 1767 Boston sent a curious tribute of turtles and other colonial delicacies for the banquets of the Wilkesite aldermen of the Mansion House. In November of the following year the Sons of Liberty addressed a formal communication to Wilkes, congratulating him upon his return from his Parisian exile. This manifesto was accompanied by a more seditious private document suggesting that "an opportunity now presented itself for France and Spain" to interfere in the affairs of the distracted colony.[5] Signed by Otis, Samuel Adams, Hancock, John Adams, and Richard Dana, this communication reveals with what eagerness the Boston "Sons" were following the struggle between the merchants of London City and the party of the King's Friends. Wilkes had graciously promised the most earnest "attention to the interests of America." An emissary of the new secret order of the "Sons" was dispatched to London to join the councils of the leaders of the London "revolution."

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[4] Postgate.

There can be no doubt that the younger Dana followed upon the same errand. High hopes were held of the possibilities of a connection between the lovers of liberty on both sides of the dividing ocean.

The situation presented interesting possibilities. Compared with the orderly course of the rebellion in Massachusetts, the riotous campaign of the Wilkesites might well have persuaded a spectator from the colonies that the real menace to the British monarchy lay in London rather than across the Atlantic. Dana found a state of affairs not unlike revolution prevailing. "This capital," Franklin had written in shocked surprise a few months before, "the residence of the King, is now a scene of lawless riot and confusion, mobs patrolling the streets at midday, some knocking down all who will not shout for 'Wilkes and Liberty.'" Coal heavers and porters were "pulling down the houses of coal merchants that refuse to give them more wages." The disturbances in Boston had at least been free of threatening economic features such as "sailors unrigging outward bound ships" and "watermen destroying boats and bridges." Little wonder that the worthy, bourgeois-minded Franklin saw in all those matters "a great black cloud ready to burst in a universal tempest." He even expressed a fear—in words that belied his later actions—that "some punishment seems preparing for a people who are ungratefully abusing the best constitution and the best King any nation were ever blessed with." [6]

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[5] Postgate.

The events that made the name of Wilkes a synonym for Liberty form an almost forgotten prelude to the story of the Revolution. They did not long outlast the more portentous news that drifted across the Atlantic concerning the "embattled farmers" of Concord and Lexington. So determined were the American patriots that their sympathizers in England should know of their stirring deeds that just before Dana's arrival a small sloop chartered in Salem brought the news to the Wilkesites of the capital.[7] But this enterprise, reminiscent of the American journalistic technique of a later day, failed of its purpose. Wilkes, through his excesses and his flamboyant attack on the "moneyed men" who had been his earlier supporters, soon lost all credit in the city. Although an equally popular and equally forgotten poet (Campbell) declared that "future ages would his name adore," the reputation of this curious apostle of freedom scarcely outlasted his own generation. The Wilkesite riots aimed at nothing less than the overthrow of the government. But when the colonial emissary arrived in London with letters from the principal leaders of the American cause addressed to the Whig friends of the colonies he found the latter already growing less numerous. As Wilkes' rowdy popularity declined the English movement, at first so menacing, faded into unexpected insignificance. Dana had arrived too late.

To Dr. Cooper of Boston and the diarist, Ezra Stiles, he owed a meeting with the celebrated Dr. Price, the

[6] Bigelow.
[7] Walpole.

terrible liberal pamphleteer whose writings had furnished arguments to the orators of Freedom on both sides of the Atlantic. Stiles' frank introduction describes him as "a sensible, ingenuous, modest gentleman who was in the practice of the law, but can now have no employment that way." His correspondence with Dr. Price was to continue through the years of Dana's Russian embassy.

Through Dana's brother, the Reverend Edmund Dana, he was introduced to an aristocratic connection which not only gave the American visitor a favorable opportunity of carrying out his investigations into the state of British public opinion, but also to present views favorable to the "rebels" in an influential quarter. Unfortunately for his hopes of a hearing in the higher official circles, Dana found that Franklin had already left London, despairing of any peaceful arrangement with the British Cabinet. The dying Quincy had also embarked a few weeks before in an heroic attempt to reach America in time to communicate confidential information he had gathered for the patriot committees. The absence of these two correspondents made the success of his own mission even more important and difficult. But like the great American philosopher he was soon disabused of his illusions concerning the "City's" love of liberty.

Franklin, who had begun by cultivating Lord Despenser and other profligate aristocrats who hung about Wilkes, quickly realized his mistake and abandoned all attempts to link Puritan radicalism with their "gutter revolution." All the Whigs to whom Dana's letters were addressed soon convinced him that the great liberal Lords, and the principal traders on the London 'Change, had joined the majority in Parliament. King George decided to forgive the Wilkesites in London and to punish revolution in Boston.

III

One curious result of the Wilkesite movement was, however, still to be reckoned with. This was the prominent part which a number of Americans played in the latter days of the "London Revolution." Raised to high office by the furore of Wilkes' popularity, the political fortunes of a group of colonial merchants, the Lees of Virginia, Izard of South Carolina and their friend, Stephen Sayre, survived for some months the overthrow of their chief. All these men were on the threshold of a fantastic public career. The American Revolution was to improvise its earlier diplomatists from among this group of colonial Londoners. Much of the friendly respect with which Dana was to treat their subsequent shortcomings was due to these earlier contacts. The Lees had first come to England from Virginia as tobacco merchants. Although they might have remained in lucrative unofficial obscurity, they found themselves irresistibly drawn into the whirlpool of liberal politics. What Dr. Worthington Ford explains as "a propensity to elect foreigners" soon led to their nomination to high office in the City. The Wilkesites, having lost their enthusiasm for Wilkes, began now to show a somewhat rowdy sympathy with disaffection overseas. Arthur Lee soon became Franklin's rival as a defender of the "Boston affair," and was appointed the former's fellow agent by the House of Representatives of Massachusetts Bay.

The Lees appear to have made a brave attempt to extend the Wilkesite movement to the colonies. They also undertook as part of their duties the drawing up of resolutions against Parliament in the same interest. In June, 1773, Stephen Sayre (another American with whom Dana was to be later involved in a curious diplomatic connection) was elected a sheriff of London. Shortly before Dana's arrival, William Lee was elected to the same office. Writing to his brother, William Lightfoot Lee, in Virginia, the young sheriff in a not surprising tone of exultation declared: "if boasting was worth anything—that I am the first Virginian who ever arrived at so great an honor." [8] Thus the Americanization of the City Fathers continued. Concerning the patriotic zeal of these southerners there can be but one opinion. In spite of the hardships which a policy of embargo and non-intercourse inflicted upon their own interests and connections, they were foremost in recommending drastic measures to counteract the Townshend duties.

The strange London career of these transplanted Virginians led to few practical results. Yet the Lees' relations with their New England patrons linked the Wilkesite movement to the Boston revolt. "What a noble pair Sam and John are," William wrote to his brother in America in admiration of the Adamses.[9] At the same time he complained that "all the New England merchants except Mr. Brown" seemed "incorrigible enemies" of the non-intercourse measures he had proposed, that: "The four colonies of So. and No. Carolina, Virginia and Maryland . . . by stopping (sic) their commerce here for one Year would do business." [10] As Aldermen the Lees were in a position to defend the Americans "against the Ministry's intolerable oppression." At a famous meeting of the common council to which the King came in person to overawe the City Magnates, Arthur Lee "presented an humble address and petition," quite bold enough to be wholly distasteful to the Sovereign. He prayed for a suspension of the

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[8] Lee Mss.

[9] *Ibid.*

[10] *Ibid.*

"operations of force" against his fellow colonists.[11] This was the situation existing on Dana's arrival.

At the height of their brief period of importance these activities of the Lee brothers, and of their friend and partner, Sayre, did much to justify the esteem in which they were held among the American merchants residing abroad. But Dana like Franklin soon realized that the hopes which the Boston patriots had entertained of their Wilkesite friends were based on a misapprehension. Chatham and Burke made speeches at Westminster that still stir the pulse of the schoolboy patriot. But their eloquence failed to change a single vote of the King's docile majority. The colonies realized that their fate lay in their own hands. On November 11th an act was passed by the Continental Congress for "encouraging the fitting out of armed vessels to defend the sea coast of America." This defiance to British vessels sent to prey on colonial commerce was subsequently declared by John Adams "to be one of the most important declarations in history." [12] The high seas, as Dana foresaw, would soon be closed to all but vessels of war. In the early spring of 1776 he sailed for home "to share with his friends their dangers and triumphs." [13]

IV

"In the packet lately arrived in New York," wrote William Hooper to Josiah Trumbull on May 13, 1776, "arrived Mr. Temple late of New Hampshire and Mr. Francis Dana of Cambridge." [14] A significant paragraph adds that "Mr. D. will satisfy you we have no reason to expect peace from Great Britain." Although the travellers brought the important news that the British Ministry, for once in a magnanimous frame of mind, had instructed Lord Howe and General Amherst to negotiate with "Assemblies of provinces, even counties and towns and particular associations," the limitations set to these concessions made them wholly inacceptable. The King's officers were directed to avoid correspondence with Continental Congress "lest by any act of theirs they should recognize the legality of that body." [15]

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[11] Lee Letters—Ford.
[12] Morgan Mss.
[13] Washington Mss.
[14] Burnett.

Dana immediately proceeded to Philadelphia to make a report concerning these matters to the new colonial legislature, and learned that this body was "prepared for any question, even independence." Here, at last, he met Dr. Franklin and was glad to find him especially "firm" regarding the necessity of showing "spirit." The above conversation with Dana, reported by Ezra Stiles in his diary, makes evident the fact that his London voyage had disabused him of all illusions respecting the abilities of the Whigs to persuade the King's friends to adopt a reasonable course towards the American "rebels." Before he left the capital Wilkes was forgotten and Lord North was actually a popular figure.

Dana made a favorable impression on the New England delegation during his trip to the Philadelphia Congress as appears from John Adams' correspondence with Joseph Warren (July 26, 1776): "There will be no difficulty in finding men to send here" . . . Adams wrote, "as General Ward has resigned his command I sincerely wish you would send him here. . . . Send Dana along for another and come yourself." There was difficulty in persuading capable men to act as Congressional representatives.[16]

Adams also wrote a more personal appeal to Dana, urging his presence in Philadelphia. Dana's answer from Boston (where immediately upon his arrival he was engaged in the business of drawing up a new constitution for the Commonwealth as a member of the General Court) is to be found among the Adams papers:

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[15] *Ibid.*

[16] Warren-Adams Letters.

Francis Dana to John Adams

Boston, Sund'y, July 28th, 1776

MY WORTHY FRIEND,

I had the pleasure of receiving your letter of the 12th ulto. on the 1st inst: It reminded me of my duty, or rather the omission of it. Indeed I know not what apology to make you for not having wrote you before it came to hand. The favor I esteem the greater on that account. Business I feel almost ashamed to offer in excuse, when I consider how constantly you are engaged in matters of the highest importance that ever fixed the attention of Men. But my private affairs were in confusion, having been almost totally neglected during my long absence; before I could restore these to any tolerable order, by the suffrages of the most respectable part of my Countrymen, I was placed in a station wherein I have found no rest. This is the third Freshmanship I have already served. *Juniores ad Labores* is repeated to me if I complain. I shou'd have been heartily glad to have been excused from any publick employment for the space of three or four months after my return home, which wou'd have afforded me sufficient time to put my private affairs (which now lay unsettled) in good order, and prepared me to meet any event. Notwithstanding the inconveniences I foresaw I shou'd labor under, I thought it my duty to accept my seat. I return'd to my country with a fix'd determination not to decline any station my Countrymen shou'd please to honor me with, in which I thought I cou'd be of service to the general cause. I flatter myself I have already done it some little service, and am sorry I have not abilities to do it more essential service. I receive the compliment you are pleased to pay me, as one friend shou'd receive a compliment from another.

An interesting closing paragraph of this unpublished letter shows the difficulties of adjusting the old government of Massachusetts to conform to the new ideals of liberty.

> I have some Fears whether under the idea of establishing the freest possible Government ours will not consist of a single Assembly. This people have been so plagued with Gov'rs they seem almost to abhor the Term; and none but men versed in History Politicks and Government can see that the freedom of the community will be better secured by adopting our old Form with few alterations, when the People shall be made the source of all Power and Authority in the State. A participation of foreign Influence has ever been distructive of the Harmony Peace and Happiness of Societies while it continued; too often has it ended in a final Tyranny. That we are freed from this political poison *at last,* I thank God.
>
> . . . Instead of being the first we shall be the last Colony to form a Gov't. The House have of themselves taken this important matter on hand, but when their Committee will be ready to report I know not. I think they have not an exclusive right to settle the Government. Their assuming it leads me to fear what I have above mentioned, when I consider the many encroachments they have already made upon the middle branch of the Legislature. They have almost annihilated it. We want much your aid in this great business. I have seen your little pamphlet. I lament its littleness. I mean that you have not enlarged upon it in the manner you told me you intended to do, if you cou'd spare the time. Why was I not favored with one? . . . You know what intelligence will be agreeable to me: please to favor me with as much as possible. I will endeavor to make some returns.

V

As the above letter shows Dana was re-elected to the seat in the General Court to which he had been appointed in 1774, when the Provincial Congress was holding its "illegal" meetings at Salem. His complaints respecting the neglect of his private affairs were not unnatural. On all sides he found his lawyer friends and the Boston merchants profiting by the Revolution. People were dressing as "extravagantly as ever"; foreign fashions, including hoop petticoats, were "crawling in."[17] Dana would have liked to repair his depleted treasury by retiring to private life. But the Massachusetts Assembly for the year 1776, during the closing months of the session, chose him as a delegate to the Continenal Congress in Philadelphia. All record of his service is missing except his signature (on November 17th) of the "resolution of Secrecy" then imposed on every new member. His presence at the following session was, however, to be attended by important results. On this journey he was accompanied by his father-in-law.

The dangers and privations which were faced by the New England members of the Continental Congress on their long journey to join that much harassed assembly are graphically set forth in the diary kept by William Ellery, Dana's companion, a representative from Rhode Island. In the year 1777 the autumn session was held at York, Pennsylvania. Here the refugee statesmen had found a retreat safe from the marauding cavalry that the more enterprising officers of Howe's army occasionally sent out from the captured rebel capital.

The elderly Ellery suffered much from the hardships of the journey. Dana (somewhat enviously described by his travelling companion, as "enjoying" a healthy constitution, though of "slight physique") appears to have relished the opportunity to view his own country. The travellers left Dighton on October 20th. Their road seemed actually to lengthen as they proceeded, for they were soon obliged to make long detours to avoid the enemy's troops stationed about New York. Rumors were, however, abroad that Burgoyne's attempt to march down the Hudson valley, isolating the New England states from the rest of the colonies, had met with disaster. This event, which had a direct bearing upon their itinerary was soon verified. On October 24th Ellery wrote in his diary:

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[17] Jameson.

> This day we had a confirmation of glorious news, that of the surrendering of the Colonel of the Queen's Light Dragoons (Burgoyne) and his whole army.

This entry was accompanied by an annotation to the effect that "F. D. in the course of the last 6 days hath devoured six quarts of apples and milk," and the eminently New England statement: "Did not travel on Sunday." [18]

On November 4th they arrived at Litchfield and found themselves in the zone of combat; the bridges destroyed and the roads clogged with "war traffic." At Duxbury they spent the night at a house near which a man had been killed shortly before by the enemy's soldiers. Here "having fortified our stomachs with beefsteak and grogg" and "fortified the house against attack," they spent a comfortable night.

At Fishkill the travellers had an interview with General Putnam, and on the road near White Plains encountered another notable figure of the times: "President Hancock in a sulky escorted by one of his secretaries and two or three gentlemen and one light horseman." Concerning this display of force, Ellery, who shared the dislike of Dana's friends and the Adams faction for the wealthy Boston statesman, adds a few words of sarcastic comment.[19] In Bethlehem "some excellent Madeira and fine green beer were drunk with the Moravians" and thence the travellers made "a cold ride to Levans." At that place (Nov. 13th) "near a convenient tavern," Samuel and John Adams were met "bound for Boston." Over a meal of bread and cheese, the news they had just received of the defeat of

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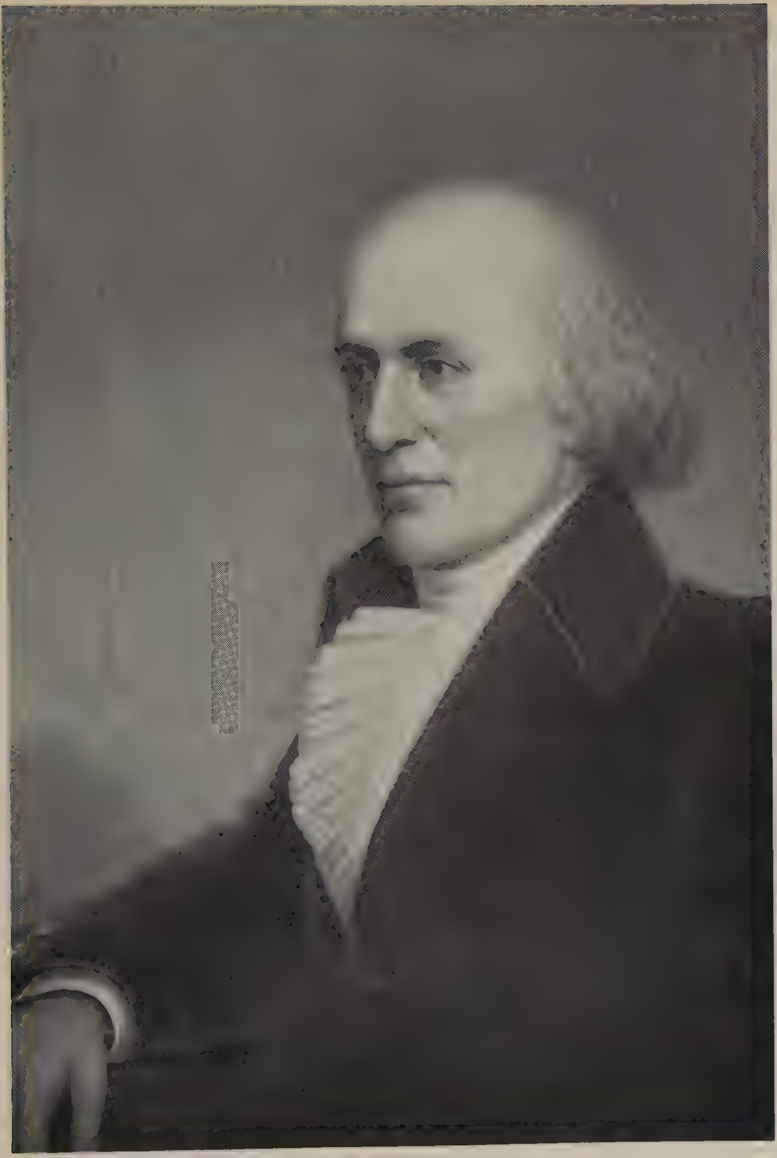
[18] Higginson.

[19] S. Adams (c.f.).



FRANCIS DANA

Burgoyne was discussed. But the prospect was still full of uncertainties. While Lord Howe had been instructed to "negotiate," the condition of the American army, about to enter into winter quarters at Valley Forge, still left every cause for anxiety. On the fifteenth of November they reached their destination, twenty-five days after their departure from Rhode Island.

CHAPTER III

VALLEY FORGE

I

DANA on his return from Europe had been introduced by a letter from Adams to the Commander-in-Chief [1] but this earlier contact with Washington had no important outcome. In view of his election to Congress, a half-formed intention of joining the army was never carried out. He was soon, however, to render valuable services to the Continental forces while serving in the colonial legislature. The New England delegation were wavering in their earlier allegiance to the Virginia Fabius, and his policy of watchful waiting. After Saratoga the future Father of his Country was out of favor with the civilian tacticians of the legislature. Washington's mastery of that most difficult of military strategics—the art of awaiting the inevitable development of events—was lost upon the faction of the Adamses and Lees. Yet in withdrawing to Valley Forge he had based his course upon reliable information concerning the enemy's plans. As a little known letter written to General Varnum from the headquarters at Whitemarsh reveals, he was aware that Howe's victory was a hollow sham. Acclaimed in Europe as the end of the rebellion, the Brandywine campaign already presented itself in a different light to the British commander: "I have just seen a very intelligent person from Philadelphia," Washington wrote, "conversant with army people who stand high in the confidence of the British officers of the first rank. He finds from their discourse . . . they will be obliged to change their quarters as they find they cannot subsist in the city without they have a free commerce with their shipping." This "commerce," moreover, was becoming daily more difficult. Varnum, the best of Washington's artillery officers, was carrying on a guerilla warfare against the enemy's ships, and taking "pot-shots" at his precious transports, with gratifying results: "I am pleased to hear of the success of your cannonade," wrote his Chief to Varnum: "I am very certain if we had more heavy cannon mounted on travelling carriages to move up and down the beach occasionally, we should annoy and distress them exceedingly." [2]

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[1] **Washington Papers.**

By all accepted rules of European warfare the capture of Philadelphia, the "Rebel Capital," should have broken the back of the Revolution. But, as the wise Franklin observed, it was Philadelphia that "captured Howe." [3] Washington's stubborn decision to remain within striking distance of the British forces was heroic rather than necessary. The enemy were far more anxious to negotiate than to fight. But the Commander-in-Chief believed that at all hazards the army should be placed between the enemy's cavalry and the new "capital" at York. The spectacle of a further evacuation of the Conscript Fathers was thus avoided, and the prestige of the new government was preserved. Yet Congress was singularly ungrateful for his solicitude.

The terrain of the patriot camp of refuge at Valley Forge reveals little of its military significance to the present-day visitor: a wind-swept plain guarded by a range of low hills in front, hemmed in by a marsh and river defending the rear approaches. Here, safe from attack, the patriot forces fought the supreme battle of the Revolution: a struggle with cold, disease, and the ingratitude of their own government. Here Washington

[2] Osborn Mss.
[3] Van Tyne.

established himself for all time as the outstanding leader of his countrymen. Here, at the lowest ebb of his own fortunes, he turned to defeat his foes by sheer force of character. In this winter camp a moral victory over his secret detractors in the Continental Congress was won, an event as important as any military success snatched from the enemy. In writing the great epic of Valley Forge Washington welded the colonies into a nation.

Washington's triumph marked the downfall in Congress of the ultra-democratic "Committee System" of the Adamses and Lees. In accomplishing this end, and in combining a plan of reorganization for the shattered patriot army, Francis Dana played an important rôle. The sessions about to begin at York did not add to the prestige of their representatives in the eyes of the country at large. The tendency of the colonial legislature to interfere with Washington in the control of military matters was already seriously affecting the morale of the troops. The sufferings of Valley Forge, tragically unnecessary, were largely due to faulty measures and sectional jealousies that withheld supplies from the Quartermaster's Department. At first directed by Trumbull, an officer enjoying Washington's support,[4] it had been "reorganized" in the interests of Congressional ideals of efficiency. Several of Dana's friends, notably James Lovell of Massachusetts, were to suffer considerable loss of reputation by their connection with these matters.

Congress was out of temper with the army. Its dignity ruffled by the flight from Philadelphia it sought to blame and correct. On arriving at York, Dana found himself appointed on a committee (of which Henry Laurens was Chairman) with Lee of Virginia, Witherspoon of New Jersey, and Ellery of Rhode Island, to inquire into alleged mysterious military blunders con-

[4] Fiske.

nected with the evacuation of Ticonderoga. Another civilian inquiry was pending concerning the responsibility of General Schuyler for neglecting to fortify Mount Defiance. General St. Claire's military capacity was also involved. At the bottom of the whole miserable business lay the quarrels of the partisans of Gates and the Commander-in-Chief. The unfortunate tendency of the members of the legislature to refight the battles of the Revolution on the floor of their council chamber was the outcome of an intrigue known to history as the "Conway Cabal." The plot took its name from an otherwise undistinguished Irish soldier of fortune whose indiscreet gibes at Washington had brought these rivalries to a head. Appointed Inspector-General of the new "Board of War," this foreign trouble-maker had espoused the cause of Gates and found supporters in Congress for his schemes.

Dana was without military experience, yet his fellow Congressmen called upon him to serve on the numerous committees "To inquire" that were now appointed. On December 8, 1777, Lovell wrote hopefully to John Adams concerning the progress of this new colleague: "Mr. Dana is a most *thorough* and active member; he has been put into the Board of War and Marine Committee." The same letter implies that Dana was reluctant to serve on these inquisitions for he was "afterwards put at the head of the Treasury by the solicitation of the members of that Board," and later was "excused from the Board of War."[5]

In his contest with the military members of the "Cabal" Washington was able to hold his own without difficulty, but with their accomplices in Congress he was at a disadvantage. There were members who, without disclosing any real grounds of complaint, carried on a "whispering campaign" against the Commander-in-

[5] **Burnett.**

Chief. Refusing to be driven into the open by the latter's friends, or to meet them in fair debate, they mined and burrowed in secret sessions. Among these "candle-snuffers, shifters of scenes and mutes," as Laurens indignantly termed them,[6] were several of Dana's political friends. Joseph Lovell, especially bitter, now grumbled at what he termed the "idolatry" of the army for the great Virginia Commander. It was probably a mistaken understanding that Dana was inclined to the views favored by the Cabal that secured him a place upon the important "Committee of Inquiry" which Congress now directed to proceed to the camp at Valley Forge.

The instructions of this commission were characteristic of the Congressional strategists of the Cabal. Besides inquiring into the sufferings of the army, and the best means to restore "good discipline," the envoys were especially enjoined to insist upon "good morals" among the starving and freezing patriots! Another characteristic recommendation ordered them to "find a plan" to reduce the already depleted battalions "in the interest of economy." "Mr. Dana goes to camp," wrote Lovell to Samuel Adams on January 13th, "with three others of Congress and three of the new Board of War upon the great business." He added the mistaken hope that the desired outcome would be "to rap a demi-God over the knuckles." [7]

II

The pursuit of this "great business" announced a crisis in Dana's career. Lovell's letter, evidently written upon the false assumption that he was in sympathy with the views of the party opposed to Washington, requires a further word of explanation. The reorganization of the "Board of War," voted by Congress in November, 1777, had chosen Gates as President and Conway as Inspector-General. By acting with Brigadier-General Mifflin—and later with the trouble-making Timothy Pickering—the military enemies of Washington were able to secure a majority of the Board. Their purpose was to hamper the Commander-in-Chief in his determination to control the army. Washington was to give place to Gates—the supposed military genius whom they chose to credit with the victory of Saratoga. Their real aim was to secure the supremacy of Congress. The alleged complicity of the "Adams faction" in this military intrigue has long offered a subject for controversy. Both Adamses were absent when the plot was hatched—yet their impatience with Washington's "Fabian System" was openly avowed. (John Adams, however, considered himself largely responsible for Washington's nomination, and in a well-known passage in his autobiography excoriates Paine for numbering him among the "faction.") [8] Other friends and political allies of Dana were, however, present and actively hostile to Washington, notably Richard Henry Lee. Before assuring himself of the actual facts, Dana may well have leaned towards this party of discord. He shared, as his letters reveal, their admiration for the "hero of Saratoga." But after his visit to Valley Forge, the outstanding services he rendered Washington in Congress severed any earlier connection he may have formed with the Cabal.

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[6] *Ibid.*

[7] *Ibid.*

At York there were many members who realized that the mean-spirited policy of Congress itself rather than any defects in Washington's military administration were responsible for the terrible conditions at the Continental camp. Concerning the latter tragic situation,

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[8] Adams' Works—V, iii, p. 95.

Laurens wrote: "We are on the brink of a precipice."[9] But it was an article of faith with the Lee-Adams faction and their satellite Lovell that at all costs questions connected with the army should be placed directly beneath the control of an appropriate Committee. They also seem to have been convinced that their Committee of Inquiry would be "obnoxious"[10] to the Commander-in-Chief. An important document in the Morgan Collection reveals the fact that whatever reasons Washington may have had for distrusting the motives of the Cabal, he was too loyal a supporter of democracy not to respect the wishes of the legislature. "The methods suggested by you," he wrote in December, 1777, "of having a Committee of Congress or from the Board of War sent to camp to consult with me or a Committee of my appointment (for it would be impossible for me to give that close attention which the nature of the thing would require) on the best regulations, arrangements and plans for the next campaign will be approved." He even added a hope that these consultations would not be "confined to particular matters" but should be "general and extensive." He welcomed the members of the "Inquiry" on their arrival at camp and with noble patience set about their military education.

III

Dana and his fellow committeemen of the "Conference" approaching Valley Forge from the direction of York must have been struck by the strength of the position chosen by Washington for his winter quarters. The patriot camp was a land Gibraltar. The steep upward slope of the hills rising bleak and unsheltered from the river-bank, however unpropitious as a place of resi-

[9] Burnett.

[10] Morgan Mss.

dence, were nearly impregnable. A system of intrenchments facing towards Philadelphia, whence any attack must be directed, had further strengthened these natural barriers. General Howe, enjoying the society of Mrs. Loring, the "handsome blonde," in his Quaker Capua had, however, no such plans. The snug winter quarters from which he had driven the rebel Congress afforded his troops an opportunity for much-needed rest. His officers enjoyed the entertainment freely offered by a population that had always included a large proportion of loyalists—while awaiting new "conciliatory" proposals from the London Ministry.

The envoys of Congress found General Washington and his military "family" occupying the widow Hewes' modest stone house at the extremity of the camp. A few weeks before he had quitted Samuel Emlen's comfortable mansion near Whitemarsh in order to share their privations. Until the wooden huts for the cantonment of his army had been completed, the beloved commander had refused to sleep under a roof.[11] Most of the correspondence that had passed between Washington and the Federal Congress was penned by the half-frozen fingers of his aides from this earlier canvas Headquarters.

Washington had long been urging upon a reluctant Congress the obvious but unpleasant fact that unless a competent Quartermaster-General were soon named to take the place of the invalid Mifflin, the army must "starve, dissolve or disperse." [12] On December 22nd he had written with the eloquence of despair. He was "convinced the men were unable to stir on account of lack of provisions." Even "mutiny might be apprehended" unless the situation were immediately remedied. "The soap, vinegar, and other articles allowed by Congress

[11] Fitzpatrick.
[12] Washington Mss.

we see none of." [13] Then with bitter humor he added, "The first indeed we have little occasion for, few men have more than one shirt, many only the moity of one, some none at all." [14] To the excuses and remonstrances of the Pennsylvania Assembly he replied with scorching irony that it was "much easier and less distressing to draw remonstrances in a comfortable room by a good fireside" than to await relief on the freezing slopes of a barren hill. In his opinion the "gentlemen of the Committee should immediately repair to camp." [15]

It was under these circumstances that Dana, Reed, Folsom, Charles Carroll and Gouverneur Morris had been appointed. An impetuous biographer of the last-named member states that the action subsequently taken was "fought by every member from New England." In his enthusiasm for the subject of his sketch (See Roosevelt's *Morris*) he even fails to mention Francis Dana's presence on the Committee where he acted as Chairman. That Dana, not Morris, was the principal negotiator of the "Inquiry's Report," a negotiation that amounted, in effect, to a treaty between Washington and the hostile faction in Congress, is shown by the documents in the case. After nearly three months of study and discussion the Commander-in-Chief and the "Conferees" signed a set of detailed recommendations which in view of the results achieved may be considered one of the most important documents of the Revolution. The little known details of this negotiation—Dana's outstanding contribution during his term of Congressional service—should now be reviewed in the light of new documentary evidence.

Dana's somewhat suspicious affiliations in the Continental Congress were, of course, known to Washington. As Chairman of the Committee, he was, nevertheless, invited to share the far from luxurious table of the General's personal staff. These banquets were of the Barmecide order—yet a certain formality was observed. The Commander-in-Chief always insisted that the table be covered with a spotless, if coarse and tattered, cloth. In Washington's company even "pasnips" and "a small quantity of potatoes and cabbage, less of turnips" could be eaten with decorum. The staff, moreover, had been reunited with their baggage, lost during the retreat after Germantown, so that there was probably a supply, ironically sufficient, of knives, forks and spoons.[16]

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[13] Washington Mss.

[14] *Ibid.*

[15] *Ibid.*

In the absence of beverages other than beer and cider (for wine, according to the erudite Fitzpatrick, did not appear at the General's table until the following March) little festive cheer marked these reunions. Such members of the "Military Family" who possessed new uniforms refrained from wearing them. All except General Knox (whose portly appearance had been tactlessly commented upon in Congress) were lean and hard-bitten. Yet a certain courageous gayety there was, even in these "starving days." The austere Dana noted with surprise that the popular legend of an "unsmiling Washington" was not entirely well-founded. The great stoic, under provocation, could sometimes unbend: "A New England gentleman told a story that took the fancy of Washington mightily. He lay back in his chair, completely overcome with laughter and spread his handkerchief over his face. In a few minutes he withdrew his kerchief, and appeared the grave man again." [17] If the Chairman of the Committee of Inquiry who recorded these facts was the story-teller of this occasion, it was not the least of his achievements—a veritable triumph of Novo-Anglican wit! As the family chronicler who gathered his account from Dana's own lips, sagely remarks: "This is to be remembered because it is wrongly asserted that Washington never laughed." [18] He might have added how rare and notable were the occasions for even the bitterest Jovian mirth at Valley Forge!

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[16] Fitzpatrick.
[17] R. H. Dana 3rd.

IV

From Baker's "Itinerary" we learn that sessions of the Inquiry were held at "the seat of William Moore Esq.," a building which still stands two and a half miles north of Valley Forge. Here the civilian Committeemen pored over papers and accounts—while Washington's aides explained the military details of his plans. With many interruptions these reunions continued for nearly three months.[19] Dana had his lodgings at Moore Hall, but on certain memorable occasions he became the invited guest of Washington at the crowded Headquarters.[20]

That he enjoyed a somewhat more confidential relationship with the great Commander than the other Congressmen is shown by what follows. One night before retiring to bed, the Chairman descended to the verandah before the Hewes house, and seated in the shadows, "taking a breath of air," became aware of a tall figure pacing up and down before him. The lone sentry watching over the safety of the sleeping camp was none other than the great Washington himself. Dana, having discreetly made known his presence, the Commander suddenly turned to him with an abrupt confidence: "Congress, sir, does not trust me—I cannot continue thus." [21] In after life the fact that he was chosen to share this noble anxiety—soon to be removed—became one of the proudest recollections of Dana's career. Improving the occasion thus given for a long explanation of the motives of the friends and enemies of the Cabal, he persuaded, argued, and soothed. Washington was soon convinced that in the Chairman of the Committee of Inquiry he had not only a staunch supporter and admirer, but also an ally for his schemes of military reform. A proudly recorded family tradition had preserved in Dana's own words the substance and outcome of this conversation, long regarded by Dana as a sacred confidence. Till the end of his days, Dana was a "Washington man." He was also among the few contemporaries to view the nation's hero in a moment of discouragement and doubt.

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[18] *Ibid.*

[19] Baker.

[20] R. H. Dana 3rd.

[21] R. H. Dana Jr.

The inner story of the Inquiry's dealings with Washington does not lend itself to heroic treatment. Largely concerned with technical military detail, it has never formed a prominent part of the historical saga of Valley Forge. But the importance of the negotiations between Washington and the representatives of Congress appears from Dana's fragmentary correspondence with his colleagues—and in his communications to the Committeemen of the legislature.

To the discomfiture of the Cabal a plan of cooperation was reached between the military authorities and the "Conferees." It was Congress and its Committee System, not the "demi-God," who was to receive Chairman Dana's "raps." At Valley Forge the necessities of the "military" spoke for themselves. Washington readily convinced the envoys of Congress of the gravity of the situation confronting the army and the entire patriot cause. The letters with which the latter now favored the chairmen of committees and the governors of the colonies who had been backward in forwarding long-promised supplies did much to remedy matters. To the Governor of Maryland Dana wrote (February 16th):

> We have the honor to compose a Committee of Congress to confer with General Washington upon the affairs of the army, and with him to concert measures for opening the campaign with vigor and activity. . . . The critical condition of the army in scarcity of provisions hath filled our minds with apprehension and alarm. . . . Some brigades have not tasted flesh in four days.[22]

The letter continued with a recital of conditions that only Washington's friends were ready to admit, and closed with a firm request that the Governor would promptly send the "waggons" promised by his state and "exert the full influence of his abilities." [23]

The spirit of co-operation that now developed between the "Committee of Conference" and the Commander-in-Chief is shown by another letter from Dana to Washington (the matter touched upon concerned the delicate subject of the appointment of officers):

"The Committee sensible that you are best acquainted with the character of the men and the exigencies of the service begs that you will make such disposition as on the whole appears most eligable." [24] Within the space of a few weeks nearly all the points touched upon in a long document drawn up by Washington for "presentation" to the Committee (January 27, 1778) were satisfactorily adjusted. These considered the important questions he had enlarged upon under the headings: "Half Pay for Officers"; "Altering of Rank"; "Muster Department"; "Artillery Department"; "Engineering Dept." etc. The great Commander's memorandum was,

[22] Burnett.
[23] *Ibid.*
[24] *Ibid.*

in short, the Magna Carta of a new military establishment.[25]

V

It granted the gallant little army, not only a wisely ordered organization, but also a few soldierly privileges other than the doubtful honor of fighting and starving for the whims of a jealous Congress.

VI

Among other important matters of military policy considered by Dana and his committee was the delicate question of employing friendly Indians as auxiliaries in the Continental forces. In 1775 the Massachusetts Provincial Congress had written Chief Johockin Mothskin of the Stockbridge Indians: "It affords great pleasure to hear . . . that our brothers the natives of Stockbridge are ready and willing to take up the hatchet in the cause of liberty and their country." [26] Each of this little band of true "Americans" who had marched to join Washington's armies at Cambridge had been presented with a "blanket and ribbon" by the grateful Congress. Washington was now willing to encourage other Indians to embark upon the "War Path of Liberty," a fact which speaks well for the courage and behavior of these earlier recruits. The Commander-in-Chief believed that such enlistments would "strike terror" to the enemy "especially newcomers." [27] Unfortunately for his plan but a very small part of the numerous Indian population had been subject, like the Stockbridge tribe, to long and friendly contact with the white man. Moreover, the chief complaint of the patriots respecting the Burgoyne expedition had been

[25] Washington Mss.
[26] Journal of the Representatives of Mass. Bay.
[27] Writings.

based upon the atrocious conduct of Great Britain in enlisting redskin allies. Their employment as auxiliaries had been subjected to the fiery criticism of Burke in the English House of Commons. Nevertheless, consultation with Washington resulted in a "proposition" for employing a number of Indians in the American Army. Signed by Dana, and duly presented to Congress,[28] this somewhat apologetic document reads:

"We have fully discussed it with the General, and upon the maturest deliberation are induced to recommend the employment of a limited force of the aborigenes." It was further stated that "the restless spirit of the savages will not allow them to remain inactive and if we do not find subjects to employ them our enemies will."

To enroll a small force of these native auxiliaries against the British (the Conference Committee believed) would do much "to break off the pernicious intercourse with the disaffected inhabitants." They were, in other words, to act as a kind of woodland police whose presence near the outposts would serve to deter marauding parties of British soldiers from harrying the farms and homesteads between the lines by "keeping the enemy compact." Another reason for enlisting Indian "troops" was the plan in contemplation by Washington "to form a flying army . . . composed of light infantry and riflemen."[29] But a natural prejudice existed, especially among those members of Congress from the frontier districts, to emulating the sanguinary glories of Braddock's disaster. Except for a limited number of scouts, no Indians were employed for warlike purposes in the patriot armies.

A letter which Dana addressed to the "President of Pennsylvania" from Moore Hall Camp (February

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[28] Reed.

[29] Washington Mss.

28, 1778) recommended a more feasible plan: the "formation of new cavalry squadrons to enable us to meet the enemy on equal terms." These troopers were necessary, he maintained:

> Not only to encounter the enemy in the field but for the protection of the faithful inhabitants . . . there is no part of our establishment which appeals so strongly to the feelings of the people or calling for greater attention. In a service entirely new this body has performed the most essential service.[30]

To offset the joyous depredations of the "two troops of Tory Light Horse" recruited from among the young aristocrats of Philadelphia who were "chiefly employed in Kidnapping civil officials," he reported that his committee had prepared the enlistment of several new troops and "made collection of a number of horses and common country saddles." He recommended that more of the former be secured "sound and clean limbed, five to twelve years old, not less than one quarter blooded." [31]

VII

The faction in Congress which had opposed Washington began to realize that the political strategy of the commanding General had won the Committee to his own point of view: "Brother D. differs," [32] wrote Lovell in disgust to a fellow New Englander. Henry Laurens, one of the General's friends, urged Chairman Dana to take even more drastic action: "You intimate evils . . . if it be so, and I am inclined to believe it, why are we so courtly and mincing?" (March 1, 1778.) [33] The Inquiry's report had undermined the corner stone of the fortress of treason so carefully erected.

[30] Gratz Mss.
[31] *Ibid.*
[32] Burnett.
[33] *Ibid.*

The climax of the Cabal's discomfiture was reached, when at the end of March Dana returned to York to urge upon Congress the adoption of further measures prepared in concert by Washington and the Committee. These were intended to remedy the "numerous defects in our present military establishment."

The final report included a much criticized project for granting "half-pay for life" to the regular officers of the Continental Army. With possible exaggeration Washington believed this matter to be "in a manner . . . the basis for every other regulation." The debates grew acrimonious. "Motives of public virtue," he wrote, "may for a time, or in particular instances, actuate men." But, he added, "It is not, indeed, consistent with right and justice to expect one set of men to make a sacrifice of property . . . encountering the rigors of the field . . . without some adequate compensations." [34]

But military rewards, even those deemed essential "to hold the best officers of the army to their commissions," were little to the taste of a Congress suffering exile from the comforts of a capital which the army had not been able to defend. With the "lime water of York" tearing at their bowels they were in no mood for concessions. Yet on April 18th, Gouverneur Morris, the leader of the "Washington Party," was able to write to Valley Forge: "A majority of our house have been agreed to a certain point ever since Mr. Dana arrived here." [35] The debate, interrupted by the consideration of the Conciliation Bills, was resumed on May 13th, when a compromise was reached on the basis of granting half-pay for seven years after the signature of a peace. On the 17th Dana and Morris were appointed to arrange a further scheme of gratuities

[34] Washington Mss.
[35] Burnett.

for officers and officers of non-commissioned rank.[36]

Washington now looked upon Dana and Morris as his chief collaborators in the task of reorganizing the Continental Army. "I would be glad to see you at Camp," [37] the Commander wrote familiarly to Dana on June 9th. The latter's time was now spent on the road between York and Valley Forge. The secret papers of Congress show, in Dana's own hand, the final report which the Committee of Inquiry drew up with Washington's approval. Its adoption restored the morale of the troops, and the fears of the faction who dreaded a military *coup d'état* were soon stilled by the outcome of ensuing glorious events. Washington's candor and transparent loyalty had defeated the purposes of the Cabal. Moreover at this juncture General Gates was, to their chagrin, revealed to his supporters as a far from infallible military negotiator. The terms of his "Convention of Surrender" were troubling the faction in Congress who wished to see the defeated enemy treated with more rigor than fairness.

To the mortification of his former colleagues of the Cabal Dana now voted with the generous minority who sympathized with General Burgoyne's not unfounded complaints that "the public faith is broke." Congress had again acted none too creditably. Dana's bill at last secured for the unfortunate prisoners the favor of removal from the inclement shores of Massachusetts to Virginia. Another bill in his handwriting outlined the terms to be offered to British officers and soldiers who should "chuse to become citizens." [38]

VIII

The same session gave Dana an opportunity for a first official experience with the complexities of foreign negotiations. The military matters before Congress had been interrupted by two important diplomatic questions. There was first: the reception of Gerard, the French Envoy (on which occasion Dana acted as one of the Committee appointed to draw up plans for a "ceremony" and a loyally phrased address of thanks to Louis XVI). Second, the consideration by Congress in April of Lord North's belated "Conciliatory Bills." The latter were hopefully presented by an English peace commission composed of Lord Carlisle, Sir W. Eden and Governor Johnson of the West Florida province.[39] The last named was an uncle by marriage of the Honorable Mrs. Edmund Dana, and cordial relations had existed between him and Congressman Dana during the latter's visit to England. The situation even promised to be of some embarrassment. Richard Henry Dana, in the course of his brief biographical sketch of his distinguished grandfather, describes this incident as follows: "It was probably in reliance on some such influence that Governor Johnson addressed him [Dana] a letter immediately upon his arrival, expressing the hope of having his cooperation. The letter contained no obnoxious proposal, as did that to Mr. Reed of Pennsylvania, but Mr. Dana thought it his duty to lay it before Congress. But the attempts of the Peace Commission had been forestalled by measures in which Mr. Dana had taken an active part." [40] (This refers to the action of a Committee composed of "Mr. Dana, Mr. Drayton and Mr. G. Morris" which had unanimously rejected the conciliatory proposals.) [41]

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[36] *Ibid.*

[37] *Ibid.*

[38] Secret Journals.

Dana had exhibited qualities of tact and diplomacy, both in dealing with the thorny questions raised during his chairmanship of the Committee of Military Reorganization, and in the episode of the Peace Commission. While gaining the friendship of Washington's supporters, he had not lost the esteem of the powerful "R. H. Lee-Samuel Adams" faction in Congress.[42] The reluctance of Dana's earlier patrons, the members of the New England-Virginia coalition, to abandon the cause of the hero they had set up to oppose the growing fame of Washington, is shown by Conway's letter to Gates from York: "My reception was not a warm one . . . except [by] Mr. Samuel Adams, Colonel R. H. Lee and a few others who are affected to you, but cannot oppose the torrent."[43] But the friends of Washington were now in the ascendant. On July 20th Samuel Adams wrote to James Warren: "I find Mr. Dana an excellent member of Congress. He is a thorough republican and an able supporter of our great cause. I am satisfied it would be of great benefit if you and he were to join in an intimate connection with each other."[44] This letter, in the nature of a recommendation from the leader of the Massachusetts "interest," foreshadowed Dana's return to New England. On August 7th he received a leave of absence from Congress,[45] and in company with Elbridge Gerry[46] returned to Boston where he arrived two months later after a leisurely journey. Their places were soon after filled by the arrival of Hancock and John Adams.

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[39] Burnett.

[40] Pa. Magazine.

[41] Secret Journals.

That Dana now looked forward to a lawyer's career and to a permanent stay in his native New England is shown by his acceptance of a commission as Justice of the Peace for Middlesex. His plans were, however, destined to be interrupted by a call to duties in even broader fields than service in Congress had afforded him.

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[42] Burnett.
[43] *Ibid.*
[44] *Ibid.*
[45] Journals.
[46] Warren-Adams.

IX

In spite of the services Dana had rendered to the army, a curious misunderstanding with one of Washington's favorite officers on the eve of his departure for Boston nearly involved him in the series of military duels which formed the somewhat burlesque aftermath to the failure of the "Conway Cabal." Between the worthy, plodding Dana and the mercurial genius of Alexander Hamilton, there was room for such a misunderstanding as now arose. But in the light of Hamilton's tragic end on the "Field of Honor" this earlier experience might well have urged that pugnacious statesman to more reasonable solutions for his quarrels of a later day. This little known incident, a footnote to Dana's career which nearly placed him in the position of Aaron Burr, throws new light on the psychology of the "Federalist Martyr."

Chagrined by the ridicule which their mutual revelations and blame-shifting had brought upon them, the chief plotters of the Cabal had fallen out among themselves. General Gates had been challenged by his aide, Wilkinson, and their proposed meeting "behind the Episcopal Church" had ended in a tearful reconciliation considered by the fire-eaters in Congress little to the credit of either of these bombastic heroes. Conway's duel with Washington's friend, General Cadwalader, was a more painful and dignified "settlement." It left the discredited arch-plotter badly wounded on the field.

The cause of the Dana-Hamilton adventure was more complicated. It may be told in the latter's own words. In a letter to Laurens he wrote (Sept. 11, 1779): "The Cabal have reported that I declared in a public house in Philadelphia that it was high time for the people to rise, join General Washington and turn Congress out of doors . . . I am running the rogues pretty hard." In his anxiety to trace the author of this libel Hamilton jumped at conclusions: "Dana was first mentioned to me. He has given up Dr. Gordon of Jamaica Plains." (Here the letter trails off into a Hamiltonian arraignment of Gordon. "You will remember the old Jesuit," etc.) [47]

From the above it would appear that Hamilton charged Dana with circulating the offensive suggestion that he was preparing a military *coup d'état*. Even when it became evident that Dana was not the "rogue" who had misrepresented him as a military revolutionary—the "Little Lion" urged that he could point out the original culprit. Dana's ready willingness to "give up" his informant is easily accounted for. Gordon had earned a notorious character for malicious gossip. This garrulous historian of the Revolution was Washington's self-appointed mentor. As a correspondent and adviser the reverend scholar was an inescapable bore. His letters (many of which are preserved among the Washington papers) are a mixture of tale-bearing and patronizing flattery. The Reverend Gordon's character was a flagrant challenge to Hamilton's incorrigible pugnacity, and it led him, as far as his respect for the cloth would permit, to drive the old gossip into a corner: "You will find by the enclosed copy of a letter of the 25th of July from Mr. Dana," Hamilton now wrote to Dr. Gordon, "that he mentions you as his authority for a charge of a very singular nature." He then demanded that Gordon should assume responsibility for the slander.[48]

Gordon's reply was of a nature to goad Hamilton to madness. He refused to acknowledge his evident fault and offered to give up his "author" if Hamilton would pledge his honor "neither to give nor accept a challenge, to cause it to be given or accepted, nor to engage in any enterprise that may produce a duel."[49] This drew from the injured party a reply, which in view of the subsequent career of the Federalist leader must be considered an interesting historical contribution (it appears in the form of a transcript in the Sparks Mss., and is dated from West Point, Sept. 5, 1779):

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[47] Works.

[48] Gordon Letters.

> We do not now live in the days of chivalry, and you should have judged your [illegible] on the subject of duelling at least useless. The good sense of the present time has happily found out that to prove your own innocence, or the malice of the accuser, the worst method you can take is to run him through the body—or shoot him through the head. . . . If I am innocent I should have an opportunity to prove my innocence. It is incumbent on you, Sir, to afford the means either by accusing me to civil or military superiors, or by disclosing the author of this information.

A problem in the psychology of one of the most dramatic episodes in American history is here involved. Does this document reveal Hamilton's inner convictions regarding the *duello*—or was it merely intended to entrap an adversary he despised? It was written by one who, seemingly without conviction, bowed at every crisis to the then accepted code in matters of "honor"; who challenged the astonished James Monroe in the matter of Mrs. Reynolds; who, following his own son to a death of needless sacrifice, finally fell with his own weapon undischarged before the fire of Aaron Burr at Weehawken. The outcome of Hamilton's quarrel with Dana and Gordon—an incident neglected by the former's many biographers—throws new light upon the tragically interesting question of his inner convictions. But, on this earlier occasion, the privileges of a churchman defended his adversary from further pursuit, and once convinced of Dana's innocence (any contrary view of the latter's conduct would have been preposterous), Hamilton allowed the matter to pass into the oblivion of a routine complaint to his Commander-in-Chief.

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[49] *Ibid.*

CHAPTER IV

FOREIGN SERVICE

I

WASHINGTON'S victory over the "candle-snuffers" of the "Conway Cabal" had been complete and overwhelming. Dana's action in supporting his plans against the party composed of Gates' friends might have ended his own career as a revolutionary statesman. But opposition to the views of the Commander-in-Chief—at least in the field of military operations—now became almost treasonable. The "unity of command" so necessary to the success of the army had been secured. Washington having escaped the trammels of their Committee System, the ultra-democrats in Congress like Samuel Adams, Lovell and Lee now united their efforts to control the field of foreign affairs. These, for the moment, were restricted to diplomatic relations with France—the only power which had extended recognition to the new republic.

Franklin, the principal American Agent in Europe, had been trained in diplomacy by his long residence in London as a general agent for the colonies. He had soon established a most cordial intercourse with the King's Ministers in Paris, and no diplomat was so popular in the French capital as "the philosopher in the fur cap." To the bewigged statesmen of the European chancelleries he represented a new force, transcending by his genial republican personality their rigid and formal codes.[1] With the help of the younger and more energetic Silas Deane, he had prepared the early stages of the French Alliance, securing aid in arms and money before the victory of Saratoga had persuaded the reluctant Louis XVI openly to espouse the cause of the Revolution. A picturesque negotiation, in which the playwright Beaumarchais played the principal rôle, had secured all these advantages from a reactionary court long before the signature of the Franco-American treaty of 1778. But in spite of these achievements a faction in the Continental Congress not only distrusted the "Sage of Passy," but also took steps to control and supervise his conduct by imposing upon him the undesired collaboration of Arthur Lee.

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[1] Renaut.

A notable defect of the Committee System in Congress was the ease with which these "soviets" fell into the hands of busybodies. The Committee of Foreign Affairs was dominated by its industrious chairman, James Lovell, who showed no objection to being addressed as "The Minister." The lack of energy displayed by the other members enabled him to assume the undemocratic rôle of a department head.[2] He was, in turn, controlled by Richard Henry Lee and Samuel Adams. These "pure democrats" sought to safeguard the principles of liberty by sending abroad their own "men of confidence" and their family connections were generally available for this purpose. The part played by the younger Lees in the Wilkesite "rebellion" had cast its glamour on the liberal faction in Congress. Like Dana they had been impressed by the London career of these colonials. Supported by a third agent, Izard, wholly subservient to their interest, the Lees received a roving commission to the courts of Europe. When they had brought matters to an *impasse* through bombastic pretense and ignorance of diplomatic procedure, the solution found by Lovell was to join an Adams to

[2] Wharton.

their mission. The "Lee-Adams" combination was thus made to straddle the Atlantic like a Colossus of Rhodes.

It is to the eternal credit of John Adams that this extension of the methods of the "Conway Cabal" to the control of our early foreign policy was foiled by the report which he submitted on his return to America in 1779. In much the same fashion that Dana had been persuaded by his investigations at Valley Forge to check the interference of the "Committee System" when it attempted to control the details of army administration, Adams' patriotism led him to lay before Congress a frank exposure of the needs of the foreign situation. There is no suggestion that in Europe or at Valley Forge the Lee-Adams combination sought personal power rather than the triumph of an ultra-democratic method of government. But as Wharton points out: "The men who supported Washington in Congress were generally those who believed that in Paris the best results could be obtained through adopting the customary system of a foreign minister, rather than leaving our relations to the hands of a commission."[3] The charges and countercharges of the Lees in their quarrel with Franklin and Deane were to take up much valuable time in Congress—nor are the absolute merits of the case wholly clear at the present day. In the outcome Deane was to be badgered into a half-insane renunciation of the principles of the Revolution. Then Arthur Lee, growing reckless in his charges against Franklin, alienated any sympathy he might otherwise have deserved. Lafayette was soon writing to Washington: "For God's sake do something to prevent the American diplomats from so loudly disputing together!"[4]

[3] *Ibid.*

[4] Whitlock.

II

Congress was amazed to learn the character of the "policies" pursued by American diplomacy abroad. These had turned upon such points as the "propriety" of appointing Jonathan Williams (Franklin's nephew) as American Agent at Nantes. This grave matter had been solved by handing over the post to William Lee (who promptly appointed a younger member of that insatiable family connection as his assistant). Deane's quarrel with Arthur Lee was more serious. At the signing of the treaty with France the former had received more consideration than the agent of the Committee.[5] Lee now suggested an accounting of Deane's transactions with the talented, but unbusiness-like, Beaumarchais, and an unedifying item known as the "lost million" appears again and again in the debate. The high posts the Lees had received from the citizens of London—the golden chains of the Shrievalty and the turtle soup of the alderman's banquets—were fresh in their minds. The honors they had been forced to forego in the cause of the colonies now seem to have persuaded them that some substantial compensation was due from their countrymen. Arthur Lee's old London rivalry with Franklin—who generally supported Deane in his troubles—also had a place in their difference.

Early in the session of 1779, Adams' report was read by Congress, and the usual "Committee to Inquire" was appointed. On the 13th of April they reported that "animosities" existed which might be highly prejudicial to the honor and interests of the United States. They recommended that the existing "commissions be vacated and that new appointments be made."[6] The first ballot showed that Congress would have welcomed a clean sweep of the entire diplomatic representation abroad. They were ready to recall every member including Franklin himself. Fortunately, a difference arose as to whether John Adams' name should be included in this measure. It was not until the 26th of September (after Gerard had expressed the desire of Vergennes and the French Court to retain Franklin and to be relieved of *M. Lee et ses entours*[7]) that Jay was elected a member of the Commission, replacing William Lee as Envoy to Spain.

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[5] Wharton.
[6] J. Adams.

"Lee is sacrificed," James Lovell, the "Minister of Foreign Affairs," wrote to Gates: "John Jay goes to Spain with Carmichel as Secretary, John Adams is to negotiate Peace and Alliance with England. Dana is chosen secretary to Franklin at Versailles (sic). Three of the secretaries carry no ill look. I was nominated to Versailles as Secretary, and am sure my resolution is wanted there."[8] A few weeks later he wrote to William Whipple that he was "willing to go in case Dana refuses." But the prospect of Lovell acting with "resolution" displeased Gerry who wrote to John Adams urging Dana for the post. He added that "the powers thereof are enlarged with the commission of Chargé d'Affaires," and that "the office so designated is to be sought by others of influence." He earnestly desired Adams "to prevail with Mr. Dana" to accept "in the interest of the publick."[9]

III

A winter voyage across the Atlantic, swept by winter storms and the cruisers of an irate British monarch, held no charms for either Adams or Dana. Residence in Paris—pending their doubtful reception by Great Britain—was likely to result in further diplomatic disillusions. Adams was convinced of Franklin's subservience to the French Cabinet at Versailles. He even believed that Congress was controlled by the French Minister in all matters involving foreign affairs. Both Gerard and his successor, Luzerne, had learned to pull with uncanny skill the hidden cords that moved the ponderous machinery of the "Committee System." The real business of the new commissioners was with London. But Gerard had not only intimated that Great Britain would refuse formal acknowledgment of independence to a republic, but also reminded Congress that "to this day Genoa and the Swiss Cantons have obtained no renunciation . . . from their former sovereigns, but enjoy their sovereignty and independence only under the guarantee of France."[10] Adams and Dana felt that their country lay under the dangerous shadow of a French protectorate. This fear—never absent from their minds—was in the case of Adams to grow into an obsession.

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[7] Sparks Mss.
[8] Burnett, V., iv.
[9] Burnett.

Gerard was a diplomat whose indiscretions gave a foretaste of the arrogance that later characterized his successor Genêt. But he now overshot the mark. Congress maintained their instructions to Adams regarding the minimum requirements for peace. They further showed their impatience of French dictation by authorizing him to proceed "in all matters" not only "by the advice of our allies," but also "by your knowledge of our interests."[11] On departing with Dana for the scene of his labors, Adams unfortunately based his whole policy on the last line of his instructions.

[10] Secret Journals.
[11] Jay.

IV

In the Dana Papers appears the following journal, telling in the traveller's own words the story of this momentous voyage:

On the Third of Novr. 1779 I receiv'd a letter from the President of Congress of the 20th of October, enclosing a Commission for me as Secretary to the Minister Plenipotentiary appointed to negotiate a Treaty of Peace and of Commerce with Great Britain; and in case of his death, charging me with the Affairs of the Commission, (dated the 29th day of September last) and also an Act of Congress of the 4th of October ascertaining my salary, and another act of Congress of the 15th of the same month making provision for the payment of it. On the 10th of Novr. I wrote an answer to the President accepting of my appointment; and on the 12th took leave of my family, and went to Boston to embark on board the French Frigate *Le Sensible* of 28 ten pounders. Monsr. Bide de Chavagnes Capt: who acquainting me that he shou'd not sail till Sunday the 14th I returned the same day to my family, and again took leave of them on Sunday the 14th and embarked about 11 o'clock A. M. The Ship sailed about 12 o'clock at noon from the upper harbour of Boston, and anchored soon after in King Road, one of the lower harbours, from whence we took our final departure the next day (Novr. 15th) at about 10 o'clock A. M. On the night of the 14th I wrote Mrs. D. and also in the afternoon of the 15th from off Cape Anne, by our pilot. We had a very good wind till the 18th when it changed to the N.E. and blowed very hard for about 24 hours. About this time our vessel began to leak very considerably, so that we were obliged to keep one pump at work.

Novr. 20th. We spoke with the Genl. Lincoln privateer of Salem commanded by Capt. Cornes then bound for that place, whose Lieut. came on board us, by whom I wrote to Mrs. D. an event which gave us much satisfaction not only because it was unexpected, but because it afforded an opportunity of notifying our friends of our escaping two British Frigates which had been cruising in the Bay for us, and were seen near Cape Anne, the Wednesday before our departure. We were at this time near the Grand Bank where we sounded on the 23rd Novr.

Between the lines of Mr. Dana's unadorned narrative we may sense the very real perils that beset the travellers. The King's cruisers were on the alert—doubtless informed by Tory spies—to intercept the rebel agents. John Adams and his Secretary would have made a "rich prize." (A few months later Mr. Laurens, on a similar mission, was captured and marched to the London Tower escorted by "a regiment with fife and drums.") Obliged to carry full sail through the November gales the little vessel was strained at every seam. In the accounts of both Adams and Dana these perils of an eighteenth century sea voyage become very apparent. The latter wrote:

Novr. 25th. The wind began to blow from the N.W. very heavy, and the Sea to run high.

Novr. 26th. During the last 24 hours we run under our Foresail only, 76 leagues; the wind and sea still raging; in the afternoon, the *Chasse Marce,* a small French vessel which had accompanied our Frigate to Boston, and from thence thus far, carried away her Foremast. The tempest prevented our affording her any relief as we were driven before it at the same rapid rate I have just mentioned. There were about thirty souls on board the *Chasse Marce,* one a woman. Heaven protect them from further harm.

Novr. 28th. The Storm abated and our leak having encreased, we set two pumps to work. This brot the Capt. Officers and Passengers to them in their turns . . . we were not far East of the longitude of the Azores, and nearly 5 leagues north of their latitude, the wind about South, so that it was impossible to make them. The increase of our leak, rendering it impractible to fight our ship well, if we shou'd meet with an enemy and our state otherwise dangerous, the Capt. at this time changed our original destination which was

Brest for Ferrol, the nearest Port. Nothing material occurred, the weather continuing moderate and the winds not adverse, till Tuesday the 7th Decr. when at about half-past ten o'clock A. M. we made Cape Finisterre, our first land, for which we had shaped our course.

Adams, who had spent a great part of the preceding eighteen months in similar voyages, found these daily adventures of the sea more commonplace. Yet, on the 7th, he too records with relief (together with comments on "the Government of the Batavians" and a discourse on "cooshoo nuts" in the best Adams manner) their first sight of the land of Spain: "Two large mountains; one sharp and steep, another large and broad."

CHAPTER V

A DIPLOMATIC ODYSSEY

I

THE original destination of the travellers had been France where, as the Envoys of the Continental Congress, they were awaited with some anxiety. Their somewhat undistinguished arrival at a Spanish port was neither welcomed nor expected by the local authorities. Yet these republican allies of an obscurantist Bourbon King were received with some official pomp in accord with their own description of their diplomatic rank. The party, besides John Adams and Francis Dana, consisted of Mr. Thaxter, a secretary, Mr. Allen, a Boston merchant, and two servants. The others were little more than children: the two Adams boys, Charles, aged eight, and "Master Johnny," aged twelve (of whom the world was later to hear great things). "Mr. Samuel Cooper Johannot," aged eleven, "scion of an important Boston family," was also of the party. The presence of these juvenile patriots is explained by the almost complete lack of educational facilities in revolutionary America.

Perhaps no voyagers ever recorded their Odyssey with more talent or more unfailing diligence. The record John Adams has left of his journey through the windy Galician mountains is one of the masterpieces of American travel literature. The two Adamses were to achieve a literary reputation as diarists second only to their fame as patriots and statesmen. (John Quincy Adams was just beginning to form his youthful impressions, and this Spanish voyage appears as a fragment of his monumental journal.) Mr. Thaxter, Mr. Adams' secretary, also kept a diary, somewhat too industriously indeed, to please his rather short-tempered employer. Dana's account of the Spanish journey begins as follows:

> Decr. 8th, arrived at Ferrol. The next morning, Decr. 9th we ran before the wind, it being a fine day, directly for Ferrol, and cast anchor in the harbour about noon. There was at anchor in the harbour three French Ships of the Line viz. The *Triumphant* of 80 guns, the *Sovereign* of 74 and the *Jason* of 64 and one French Frigate, and three Spanish Ships of the Line, and several Frigates. Before we entered the harbour we were obliged to set a third pump to work, and for the greater part of the time since her arrival in the harbour, four pumps have been going, and our Ship there makes 7½ feet of water in one hour. We have great reason therefore to thank Heaven for our safe arrival in this place tho it will occasion us a tour of not less than 900 miles from hence to Paris. Immediately after casting anchor I wrote to Mrs. D. and in the afternoon I went on shore to view a part of the town & return'd on board the Frigate at night.

Mr. Adams meanwhile paid an official visit to the Commander General Don Joseph St. Vincent.[1] He was much impressed by the Spanish and the French officers—our allies: "Gravity and silence distinguish the one; gayety and vivacity and loquacity the other." He noted the simpler uniforms and the plain wigs worn by the Dons. The officers of both countries wore the same red and white cockade in honor of the renewed alliance against Great Britain. Mr. Dana only found time to note briefly his own doings:

> Decr. 9th. We went to our own lodgings which had been provided by the French Deputy Consul who lives in this Town. Spent part of the day in further viewing the Town and public Works, in the evening went to the Opera.

[1] Diary.

Decr. 10th. Dined with the French Commandant on board the *Triumphant.*

Decr. 11th. Dined on board the same Ship with her Captain, and was invited to dine to morrow on board the *Sovereign* by the Captain.

Decr. 12th, Sunday. This day we were to have gone to Coruna with the French Consul (the place of his residence) by water, but wind and rain prevented us. Coruna is situated on the other side of the Bay at about five leagues distance from Ferrol across the Bay, and five leagues by land, and is a considerable Town, but not a free port; it has a good harbour. The weather prevented our dining on board the *Sovereign* this day. The Consul proposed our going to Coruna to morrow by land, & very politely engaged to procure Mules for the purpose, for no carriages are to be had in this place, which was agreed to. At Coruna we propose to hire Mules for our passage over the Mountains of this Country to Bayonne in France. We are told it is impossible to travel over them otherwise, and difficult even with Mules. The distance from hence to Bayonne is about 120 Leagues, which cannot be travelled in less than 15 Days.

Decr. 13th. This day continued stormy so I remained at my lodgings almost the whole of it. Yesterday & this day I wrote the foregoing part of this journal, and in the evening went to the Opera.

Decr. 14th. The storm subsiding & the passage across the harbour being practicable, in the afternoon we sent over our baggage, and by the advice of the Consul remained in Town this night.

II

Mr. Adams meanwhile went on a walk "to the dry-docks to show them to Charles" where he continued his insatiable quest for information. The French Consul satisfied his desire to know more of the duties of ambassadors and consuls. The "Chief Magistrate or Corregidor" told him of the ancient laws of the land. The French Captain Chavanges revealed the disquieting fact that the Americans were being "grossly overcharged at the Calle de la Maddelena." Finally an Irish gentleman, "master of a mathematical academy," gave him some much desired information concerning the attitude of the Spanish government towards the American colonies. Although the King of Spain had fulfilled his duties under the terms of the Family Treaty with France, and declared war on Great Britain, he was still reluctant to approve the principle of revolt. He somewhat prophetically believed that "the revolution in America was of bad example" in view of "the state of Mexico and Peru." The united fleets of the two Bourbon monarchs now swept the Channel in pompous and ineffectual reminiscence of the Great Armada, but King Carlos thought only of Gibraltar and the recovery of the Floridas.

Respecting the attitude of the Spanish officials Mr. Dana wrote with evident relief:

> We arrived at Coruna in the evening of the day we left Ferrol (Decr. 15) and being told it was expected of all Strangers coming to this place, immediately to wait upon the Governour of the Town, and also upon the General of the Province, in a few moments after we arrived, Mr. Adams & myself went to pay our respects to both of them, and were received not only with much politeness, but apparent friendship, and were informed by them that the King had given them express orders to treat all Americans arriving here, as friends and their own subjects; they tendered every accommodation that we might stand in need of here, or while travelling thro the Country. The first instance of respect shown, us, was, the Governour having been made acquainted with our being upon the road to this place, issued his orders to have the gates of the Town kept open that night till our arrival; the next and most marked one was, that the Govn. and General both returned our visit. This Compliment the Genl. had not paid to any one before. The General is the Supreme Civil as well as Military, Officer in the Province. He is strictly speaking President of the Supreme Courts of

Justice, and tho he seldom takes his seat (being always a soldier) yet he may do it whenever he chooses it.

III

As a specimen of his observations on the customs of the country the following "Memo" respecting the women of Spain is not without interest:

Report in America used to tell us that it was a point of high indecency for the women of Spain to show their feet. This is a mistake as far as I have yet observed, the women of fashion dress themselves very much after the present mode of America especially about the head when at public entertainments the Opera for example, & do not veil their faces, at least they appear thus at Ferrol. They make no difficulty in showing the foot, on the contrary they wear short petticoats when walking in the Streets, and always small but low-healed shoes, which shape their insteps like a man's, and I think spoils the beauty of the female foot, but this is an early observation; time may entirely reconcile me to the custom. It must be admitted that they universally walk well and with much agility. I have not yet seen a single parrot-toed woman. The manner of their dress, as they appear in the Streets, and the Churches, is a short round petticoat or skirt, with a short Waistcoat having sleeves buttoning down upon the wrist, very much resembling a riding habit, besides this, they are veiled. The veil seems to be nothing more than a square piece of cloth, or sometimes silk, having a broad open work'd lace about it, carelessly thrown over the head and falling over the forehead & sometimes a little below the eyes, but so as not to conceal them, or a handsome face, it falls also over the shoulders & down the back, and serves the purpose of a short cloak. They are mostly, especially the lower class, dressed in black, thus accoutred they are almost constantly going to or returning from the Churches. When they enter the Churches they fall upon their knees upon the stone floors with their faces to the Alters, and sometimes prostrate themselves and kiss the pavement. Here they remain till they have gone thro their devotions in solemn silence like statues, and then retire. I speak not of publick exercises such as the Mass, but what I take to be in nature of private devotion where the Priests are not present except accidentally. I shall take another opportunity to speak of the Religion of this Country, its effects and influence upon the Government and the manners of the people, when I shall have made further observation upon such interesting subjects, and may do it with freedom and safety.

There are in Coruna Five Convents, one of the Dominicans, one of the Franciscans, one of the Augustins, one a Nunery of St. Barb, and another of the Capuchin Nuns; they are distinguished by their several habits; the Dominicans wear a black and white habit, the Franciscans a stone grey, and the Augustins a black habit. The Capuchin Nuns are remarkable for a very austere life; they eat no flesh, wear no shifts or linen, but woolen only, and sleep on boards without beds; when a Nun is admitted into either of the orders she is dressed in gay attire; carried into the Church, and there renounces the World, and then assumes the habit of the order; at the expiration of one year they are at liberty to renounce their profession, and enter again into the world, which if they then decline to do, they must forever after continue in the Convent. An instance, I am told, happened in this place of a voluntary separation of a married couple for the purpose of entering into these religious orders; the Wife being determined to undergo the severest mortifications became a Capuchin, but having made a thorough experiment of that state, at the end of the year she formally renounced it to enter again into the joys of matrimony; the husband was upon this, against his inclination, driven out of his order, to administer them to his Wife. Of her it may be said, the Flesh indeed is willing, and the Spirit weak.

IV

The 17th Decr. Mr. Adams, Mr. Thaxter, Mr. Allen & myself dined with the Genl. at the palace; our entertainment, as may be supposed, was elegant. The Genl. seems to be about fifty years of age, is a good looking man, and has some good humour mixed up with the gravity of his Country, he is a man of knowledge, & sound understanding, and properly inquisitive to obtain information; particularly about our American affairs, tho he, as well as every one else we conversed with in this Country, were very ill informed of their real state; of the force, power and possessions of the British in the United States, they had conceived a very exaggerated opinion. They have no good Maps of the Country, we were happy to be furnished with the best extant, which we shewed and explained to the General & others, which much corrected their erronious opinions.

Decr. 19th. We dined with Mr. D. Tornelle, the French Consul, in comp. with the Chief Justice & Attorney General of the Prov. & some other Gents. They were all exceedingly polite, and paid every attention to us we cou'd wish for. The Attorney General in particular was a Man of not a little Wit, and entertained merrily on some Subjects which discovered a liberality of sentiment I did not expect to hear expressed in this Country.

Decr. 20th. We attended the Court of Justice and heard the Causes argued which is before alluded. The residue of our time we spent in viewing the publick Works such as the Forts (after the Churches, Convents, etc.) On the 24th Decr. we received by the way of Madrid the disagreeable news of Count d'Estaing's repulse at Savanah in Georgia, and the arrival of part of his fleet in Europe.

The 25th Decr. Mr. Adams and myself waited upon the Gen.; about 11 o'clock to take our leave of him as we intended to set off on our journey the next day. He had before sent us a passport through the Kingdom requiring all civil officers, etc., to cause us to be supplied with every convenience we might need, and at the prices stipulated for the Royal Service. He again assured of of his readiness to give us any firther assistance, and in parting he offerd us an escort of horse or foot as we shou'd choose to attend us on our journey thro the Kingdom, and added, we had not done him the honour to command any service of him, and that he shou'd be happy if we would do it—to this courtly offer, as courtly a reply was made as could be expected of staunch American Republicans. Our conversation turned also upon the disaster at Georgia; the effect of which he seemed to conceive wou'd be very serious upon our Affairs. He was told it was a misfortune it was true, not only to us but to our Allies; that it must be classed amongst those adverse events which had before befallen us, but as from them so from this, we shou'd soon recover, and no change wou'd be made in the general state of our matters by it. He seemed to be much gratified, and thus we left him. As we were going out we passed thro two large rooms with him, in the first of which, were the Judges in waiting, and in the next, a great number of the other civil, as well as the military officers resident in this place. In short the Genl. has his Levee like a great Minister of State, and in all the pomp of a Prince. They indeed affect to call this Province, a Kingdom, and the power and authority of the Genl. or Governour is almost completely Sovereign.

As a lawyer Dana was much interested in the legal system of the country and the result of his inquiries from the "gentlemen of the robe" is noted in the following paragraph of a "Memo."

I believe it is common receiv'd opinion that the punishments inflicted in this Kingdom in consequence of Judicial decisions, are severe and cruel, but I was informed by the Gentlemen of the long robe, that in all capital offences the convict is generally put to death by hanging, even in the cases where the antient Law requires a different kind of punishment. A curious instance of this sort, which reflects honour on the persons who first invented the ingenious method of satisfying—rather, evading the Law—is the following. For the most odious crime of parricide the Convict is ordained to be put into a Hoggshead or Butt with an Adder, a Toad, a Cat, and a Cock, and to be cast into the Sea to be drowned. They first put the Convict to death, and then put him into a Butt in which is painted the above mentioned animals, and then cast it into the Sea. It is not many years since this method was pursued in this place. The Inquisitions, which are established in every Province, have laid aside the practise of burning their Convicts. Drawing in quarters is the punishment inflicted for High Treason, but I was informed by the Attorney General of this Province that there had not been a conviction of that offence, within a Century and a half in any part of the Kingdom, and shou'd one take place, there was no doubt but that the cruelty of the punishment wou'd be mitigated; for added he, in Spain as in other Countries, humanity is shocked with such cruelties. I have been likewise informed that the Duke de Alva, a great proprietor in this

Province, has preferred to refuse the payment of a certain imposition upon Lands, to the Church of St. Iago; in consequence of which, a Law suit has been comenced for the recovery of it. The foundation of this demand was a vow said to be made by the antient Inhabitants of the Country, that if St. Iago wou'd assist them in driving the Moors out of it, they wou'd forever in acknowledgement of it pay the tax in question. The tradition and general belief is that St. Iago did appear on horseback sword in hand at the head of their armies and drive out the Moors, and that he was buried in the place where the Church of St. Iago now stands; the Duke denies these facts, and says further that St. Iago was never in Spain; which are the issues now to be tried. I refrain from making any observations upon the foregoing matters.

V

From Mr. Adams' account we learn that a large part of the garrison of Corunna was composed of Irish troops. In honor of a visit which he made to the law courts, accompanied by Mr. Dana, an Irish battalion was paraded "and made a fine appearance." "Mr. O'Hara, the Governor of the town," bade them farewell, and true to the traditions of his race, "repeated a thousand obliging things." Yet in spite of these civilities, they so hastened their departure as to leave on a Sunday. Dana's diary continues:

Having been detained at Coruna ten full days, where we did not intend to have spent more than one, waiting with the utmost impatience for Mules and Calashes to proceed in our journey, and having sent to Iago to procure them we at last, by the especial assistance of Mr. Lagoanese, a very worthy Merchant of this place, got them and began our journey on the 26th of Decr. at noon, and a little after dark arrived at Batancos, a stage of our leagues. This place is but a small village, tho it was the Metropolis of the Province formerly and the Archives of it are still kept here; the next morning Decr. 27th, we set off from Batancos, and got to Castillano four leagues further.

On December 29th the travellers arrived at Lugo, "the most considerable town we have passed into since we left Coruna." This place had a wall some forty feet high "rather calculated to imprison than to protect the inhabitants." Perhaps for this reason it had been chosen by the Spaniards as a place of imprisonment for captured privateersmen:

> We here saw some marine British Prisoners, (one of them a native American, Hickling of Boston) well dressed in Sailor habits. I mention this anecdote with pleasure, because it discovers a humanity in this people, towards their prisoners, which we have been taught to believe them wholly destitute of, and reflects much honor upon them. How different the conduct of that Nation is, in this respect, at the present day, which has affected to consider the Neighbors as unfeeling for their unhappy Captives, let those of our Country whose misfortune it hath been to be thrown into Mill Prison or Fortune Gaol testify. To cast an eye into their Gaols and prison Ships in America wou'd blacken the horrible picture, and fix an eternal Stigma upon the British Nation. They seem to have forgotten their execration poured out against those who imprisoned their Fellow Citizens in the Black Hole of Calcutta, in the last War.

Both Mr. Adams and Mr. Dana were always interested by matters that even remotely reminded them of New England. With regards to Hickling the former was however more explicit and more severe: "Went privateering in an English vessel, and was taken by the Spaniards; unfortunately taken, he said. Unfortunately enlisted said I. He wanted to make his fortune, he said. Out of your country, and by fighting against your country? said I." Dana's diary continues:

> Decr. 30th. We rose this morning between 3 & 4 o'clock, but cou'd not have our Mules and Carriages got ready to set off till just before the Sun rise, we got into Galliego at the foot of the mountains, five and a half leagues from Luego, before Sun setting.

Decr. 31st. We set off from thence about 8 o'clock and arrived at Labrero upon the pinacle of this world, at least of the mountains of Gallice. We had three Calashes drawn by two Mules each, they were overturned three or four times upon the last Hill, and the Axeltree of one of them broken down amidst a heavy rain which came on about noon and continued thro the day. I walked four miles steadily this day and untill it rained. The accident which befell our carriage detained us so long that we cou'd get no further than Castillano; our intended stage was Guiteres, two Leagues beyond.

VI

Their first experience with the inns of the country so impressed both the diarists of the expedition that Mr. Adams and Mr. Dana each devoted nearly a page of description to the inn at Castillano where they spent a trying night. Mr. Adams' account has often been quoted as a masterpiece of horrified propriety. Mr. Dana's impressions are nearly as eloquent:

I cannot forbear attemping some description of our lodgement, tho I am sure tis impossible for me to give a perfect one of it. It was a Stone building, I know not whether to call it a House or a Stable or a Granary, in fact it was all three in one. It was two storys high, the lower floor was of ground, partly appropriated to the uses of a kitchen, partly as a bed room for the family, partly for a hog pen, partly for a hen house, and partly for the Mules and the Muleteers. To descend to some few particulars: In order to enter into this same building you had to wade thro muck and straw, and every species of filth which it is common to find in the stable yards of a good farmer, and pass thro a door which was the common passage for Man and beasts, having entered, on the right, were ranged the Mules on each side of the house feeding upon cut barley straw, some of which was strewed before them and served for the beds of the Muletiers; next to these on the left was a flight of stone stairs leading into the chamber, which I shall attempt to describe after I have done with the lower apartments. By the side of these stairs which were covered with filth and straw, and probably had never been swept since they were made, was a pen made of hurdles in which was kept the fattening hog; a saddled Mule had been driven in by a traveller, and took his station at the bottom of the stairs; a considerable quantity of loose straw lay scattered about the floor & some bundles of it; towards the end on the left was laid a large stone which served the purpose of a hearth; there was no chimney, a large log was laid on this, and some few fragments put to it which made up their fuel; now and then the old Patron de la Casa or Master of the House wou'd take up his Ax and strike off a chip or two. On one side of this fire place was an old crazy wooden bench to sit at the fire, and behind it a large stone one sat upon two blocks, underneath this lay a barking snarling dog. On t'other side were some cribs or cabbins for the family to sleep in filled with straw, over it were hung some hurdles for drying chestnuts. There was a large stone flew or oven in another part. This lower region was lighted by two small crevices about four inches wide & ten long, one on each side of the fire place, out of these such part of the smoke a cou'd do it, was to find a passage—the rest diffused itself thro every part of the house in so thick a body as to almost deprive any one, unaccustomed to it, of sight. When we ascended the chamber on one side was a large open crib filled with grain; next to that a large Chest of feed somewhat resembling flax seed, over head was a large quantity of Indian corn, perhaps 100 Bshls, hung up to dry; There were besides one Table and two benches to sit at it, and two straw beds. The floor cover'd over or trodden over with straw and mud, the room only lighted by two small holes intended for windows—the whole exhibited such a scene of filth, and of the debasement of human nature as was at once to excite indignation and pity—laziness, superstition and ignorance were here to be seen in their most disagreeable aspects.

VII

The party rode in three "calashes," in one sat Adams, in another Dana and Mr. Thaxter. In a third travelled the somewhat mysterious individual young Sam Cooper Johannot and Mr. Allen. Mr. Adams kept his shrewd and practical mind on mundane things; "A fertile country," he records, "not half cultivated, people ragged and dirty, and the houses universally nothing but mire, smoke, fleas and lice." Mr. Dana occasionally lifted his eyes to the hills:

> From Galiego to Lebraro you almost constantly rise, for seven Leagues, mountain after mountain and when you have ascended to the pinacle (Lebraro) it may be said you enter the region of the Gods. When we passed a mountain about two miles short of Lebraro, on all sides there opened upon us a prospect the most sublime imagination can conceive, or I believe, the world exhibits; it must be seen to be felt; here was such a magnificent display of the great works of Nature's God as filled the soul with astonishment and veneration. The Day was fine, and the Sun shone in all his glory, and was about to close the scene. Having happily arrived to this most remarkable point of this World, we closed the year this evening with joy and gratitude. The next morning (January 1st 1780) was as fine as we cou'd wish for; thus favoured with respect to the weather, (for here our station was very critical) we begun our progress down the mountains. The first we descended was very long, steep, and difficult of passage; the road being rockey, and running upon the edge of enormous precipices, that accident of overturning a carriage or starting of a Mule, on *one* side, wou'd have hurled us to the bottom of the Creation. We didn't choose to hazard this, and therefore dismounted. At the Foot of this Mountain begins the Province of Leon, and all danger of travelling here ceases.

Passing from Glaicia into Castile the travellers passed through San Juan, and Nava, and entered a more fertile region "of heaths used in pasturing sheep." Between Parades and Palentia, in Leon, grain fields began to appear. Their progress over better roads—and without the mishaps to carriages and mules that had been almost daily incidents of the Galician mountains—was now more rapid. The middle of January found them approaching Bilbao, near the French border:

Jany. 15th. We left Luguendo at Sunrise and got into Bilboa about 1 o'clock (four Leagues). The Country continues very mountainous and is almost on every side uncultivated—the greater part of the Road is cut upon the side of the mountains lying on a small irregular River which runs to Bilboa, and is built upon the lower side with stone—these mountains are high and steep, and in passing round about them you have precipices frequently both above and below you—the road lies between a ridge of mountains, very much resembling those of Leon before you come to Villa Franca, which extend on to the Town of Bilboa, and encircle it. This day completes two Months since we sail'd from Boston, and one since our departure from Ferrol. Messrs. Guardoui come to visit me this evening and made a tender of their best services, and most earnestly requested us to take a ready furnished house of their Brothers, who together with his Lady were at Madrid, during our stay in Town but we declin'd it, and continued in our lodgings. Soon after they left us they sent a quantity of good wine, Tea, Butter, etc. for our better refreshment, which was very acceptable.

VIII

During their passage of the Pyrenees Dana seems to have suffered with mountain sickness. Their Spanish adventures were, however, nearly ended with their arrival, much worn out by these incidents, in France, came a return to the more accustomed scenes of civilization:

Jany. 20th. We left Bilboa on the Afternoon of the 20th Jany; there we dismissed our Carriages, and for the greater expedition took our rout on Mules thro the mountains; at the distance of nine leagues from Bilboa, we came into the made Road from Madrid and Vitona, which we had left at about ½ league from Pancorba to go to Bilboa, this continued to the confines of the Kingdom. We passed the River which divides the two Kingdoms, and entered that of France about 10 o'clock of the 23rd of January and got into Bayonne the afternoon of the same day. As I was extremely afflicted with a nervous headache while at Bilboa, and on my journey from thence, and very much fatigued, I kept house at Bayonne on the 24th and saw no part of this place but the Streets we rode thro in entering and leaving the Town. The Commandant, a French Marquis, sent a polite card inviting us to his house, etc., but our ill state of health obliged us to decline his invitation. The next day, towards evening, he came in person to invite us to go to the Comedy and take a seat in his Box and to sup with him, but we were unhappily under the same necessity of declining the very polite and respectful invitations.

Their welcome to France was, unfortunately, a storm of snow and rain that delayed their journey far beyond the calculated time:

Jany. 25th, left Bayonne. We set off from Bayonne in the morning of the 25th Jany., in very good Cabriolet hoping to reach Bordeaux on the second day, which is 27 postra. or 54 Leagues from Bayonne, but by the rains and snows which had just fallen, these Roads, which are reckoned the worst in the Kingdom, were so full of water and ice, that we did not accomplish this Rout till the fifth day, viz the 29th January. So soon as we crossed the dividing River of the Kingdoms we left behind us a mountainous Country and entered one of a very different kind; there are indeed a few Hills between the River and Bayonne, but from thence to Bordeaux, you traverse a perfect plain, and barren Country, consisting of large forests of pine (where is made great quantities of Turpentine) or very extensive wastes upon which there is neither Tree or Shrub except the Furze, with here and there a House or small Village.

Feby. 5th. The rain which fell last evening, & froze as it fell, covered the roads so completely with Ice, by this morning, that the Postillions dared not to attempt to carry us on today. We remained therefore shut up at Coue, till noon.

Feby. 6th. We set off from Poitiers early in the morning, passed thro the large Village of Chattellerault noted for the manufacture of Cutlery wares, and reached to Monbason 2½ posts short of Tours. This afternoon we passed thro the

Seat of the Marqs. D'Argenson at Ormes, which is large and elegant.

On the seventh day they passed through Tours "the most beautiful city of this route," and two days later reached their journey's end in Paris.

CHAPTER VI

HIGH DIPLOMACY

I

DANA'S unpublished diary records the arrival of the Adams mission in Paris and gives a few brief details of their reception:

Feby 9th, (1780). We arrived at Paris at about 9 o'clock P. M. and took our lodgings at the Hotel de Valois, Rue Richelieu.

Feby. 10th. This morning we went to Passy to visit Dr. Franklin and dine with him.

Feby 11th. This morning we went to Versailles calling at Passy upon Dr. Franklin from whence we went with him in his Coach, and were introduced in the first place to Comte de Vergennes, Secretary of State for foreign affairs, who received us very politely, not to say graciously; after about ½ hours conversation with him we waited upon Monsr. Sartine Secretary of State for the Marine and then upon Comte Maurepas, after which we returned to Passy dined with Monsr. Chaumont, and after dinner walked over to Comte D'Estaing's Seat in Passy and paid him a visit. I was much gratified to find this brave Officer so far recovered of his wounds as to be able to walk his room with a very little assistance from his cane. The comte invited us to dine with him on Sunday, which we engaged to do.

After our return from Passy in the evening we returned Mr. Arthur Lee's visit made in our absence . . . on our return home found that the amiable Marq. de la Fayette had been at our lodgings.

Feby 12th. Mr. Arthur Lee returned our visit as did also Mr. Franklin accompanied with Monsr. Chaumont and his Grand Son Mr. Franklin.

It must be recalled that the new Commissioners had been sent by Congress not only to forward a peace with Great Britain but also to remedy certain defects in the American Foreign Service. Although Dana fails to remark upon the matter, the continued presence of Franklin's grandson in attendance at the Legation in an undefined capacity as "Secretary" was wholly displeasing to Adams. William Temple Franklin was the base-born son of Franklin's own illegitimate offspring, Temple Franklin. This double bar sinister was objectionable to Puritan ideas of decorum. Young Franklin, in the opinion of Adams, was enjoying a far too privileged social position for one without definite commission or office. When the Doctor was incapacitated by attacks of gout from performing his "devoirs at Versailles," his grandson generally represented him at Court.[1] A further objection to such an informal state of affairs lay in the fact that Temple Franklin, who had acted in an official capacity under the Crown, was now a refugee in Great Britain, whence he maintained a correspondence with his family.[2] Franklin sometimes went to injudicious lengths in urging upon Adams the official appointment of "le Franklinet," as he was called by the Parisians, to the post of Secretary of the American Commission.[3]

The Dana Mss. throw an interesting side light upon the differences between Franklin and his colleagues, which were to last until the final signature of the peace with Great Britain, and to form the subject of a long polemic in the memoirs of Adams and Jay. The former was, of course, aware that his actions in Congress, and the tone of his report on the situation he had found existing in Paris on the occasion of his previous visit, had done little to endear him to the "Greatest American." The Congressional alliance of the Adamses and the Lees had supported the latter's kinsman in their dispute with Franklin. The constantly delayed departure of the incorrigible trouble-maker, Arthur Lee, did little to advance a better relationship. Moreover, Adams' closer and more recent connection with Congress seems to have persuaded him that he enjoyed a certain supervisory relation towards his older colleague. The French government, on the other hand, continued to consider Franklin (especially under the new arrangement) the sole accredited representative of Congress in France. Although increasing military difficulties were besetting the alliance on both sides of the Atlantic, Vergennes loved and trusted him. To every Frenchman with whom he came in contact Franklin was the embodiment of the American cause. Adams—especially when it was ascertained that he was not the *Grand Adams,* his cousin Samuel—failed to attract the consideration to which he deemed himself entitled.

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[1] P. L. Ford.

[2] *Ibid.*

[3] *Ibid.*

A continued residence at the Hotel de Valois was not wholly to the taste of either Adams or Dana. Yet Franklin made no renewal of the invitation that had been extended during Adams' former visit to share his quarters at the Legation. The unconscious humor with which Adams' Diary sets forth his efforts on that occasion to reorganize the chancellory and its correspondence, the train of Franklin's private establishment, and even the use of his coach and horses, scarcely implies that any lack of cordiality could be imputed to the Sage. Franklin was only human! The prospect of living in the same house as the censorious Adams offered no appeal to the friend of Madame Brillon.

II

Following their informal presentation at Versailles, Adams wrote to the French Minister of Foreign Affairs (February 13th), informing him that he had been appointed a plenipotentiary "to negotiate a treaty of peace with Great Britain, and also to negotiate a treaty of commerce with that Kingdom." He added that "Mr. Francis Dana, member of Congress, and of the Council of Massachusetts Bay," was "Secretary to both Commissions." As their duties were entirely contingent upon the development of a situation in which both allies were interested he very properly asked "his Majesty's permission" to reside in Paris. At the same time, he assured Vergennes that he contemplated "no steps of consequence in persuance of my commissions without consulting his Majesty's ministers." He also asked "whether, in the present state of things, it is prudent in me to acquaint the British ministry that I am arrived here."[4]

The ensuing incident has not infrequently been put forward as proof of Adams' tactless diplomacy. But Vergennes' reply contained at least one highly provoking assumption. Adams was informed (February 15th)[5] that before answering his questions the minister would wait for the arrival of Gerard who would probably be the "bearer of your instructions." Whether he intended to imply that he had no authority to ask Adams directly what the tenor of these instructions might be, or whether his note was a hint that a more detailed communication was expected, is an open question. The unfortunate implication was interpreted by Adams to mean that the instructions of Congress (which the somewhat short-tempered Commissioner considered "a sacred deposit committed by the master to the servant" and in the nature of things a matter "inviolate until he has an express permission or injunction to reveal it") had been placed at the disposal of the French minister to the United States. This was to assume, or hint at, a state of tutelage in the conduct of American foreign relations that Adams was always ready to resent. He replied by communicating attested copies of his own and Dana's commissions. Vergennes scarcely improved matters by an answer to the effect that these documents were "conformable to what M. Gerard has written me about them." He, however, offered Adams some satisfaction by assuring him that the object of his mission would be "announced in the Gazette of France," thus according him—and Dana—such limited diplomatic status as their position permitted.[6]

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[4] J. Adams.

[5] *Ibid.*

Unfortunately, Adams was now furnished with a valid grievance. Urged on by his growing jealousy of Franklin, he began to complain that "both Mr. Dana and myself" were agreed "the Count neither wrote like a gentleman himself, nor treated me like a gentleman." Less convincing was his statement that "it was indispensable to show that we had some understanding and some feelings."[7] A ready sympathizer was, moreover, ever present at his elbow in the person of Arthur Lee. While awaiting an opportunity to return to the United States (following the recall he no doubt considered a disgraceful requital for his sacrifices in the patriot cause) Lee improved the opportunity afforded by Adams' ill-humor to vent his spite on Franklin and the French.

On March 3rd, Dana wrote in a tone of evident relief to Samuel Adams: "our friend and your correspondent Dr. Lee this day took leave of us being about to depart for America in the *Alliance,* now commanded by Capt. Jones." Having played the part of gadfly to the sensitive flanks of the choleric Adams, Lee quitted the European scene he had done so much to embroil —to continue his mischievous labors in the halls of Congress. In writing to Ellery, Dana explained the attitude he desired to adopt in the unprofitable situation that had arisen (March 16, 1780):

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[6] Adams.

[7] Pa. Magazine.

> I presume you will have new work carved out for you, upon the arrival of Dr. Lee and Mr. Izard, both of whom will shortly embark for America. Their weapons, I understand, are pointed not only against Mr. Dean, but at the head of the *old Gentleman.* In these disputes we take no part here, being determined not to entangle ourselves in their animosities. I have however my private opinion regarding them. I hope in God, Congress will not again be thrown into parties about this business, but that an inquiry into it, will be conducted with deliberation, and without respect to persons.

Whatever hopes Adams may have built upon Lee's presence in Congress for the support of his own pretensions were entirely nullified by the wise and temperate dispatch that accompanied the correspondence which the "old gentleman" now communicated to Congress. Franklin wrote:

> I have in a former letter to Mr. Lovell mentioned some of the inconveniences that attend the having more than one minister at the same court, one of which is that they do not always hold the same language. . . . It is true that Mr. Adams' place is elsewhere; but the time not having come for that business, and having nothing else wherewith to employ himself, he seems to have endeavored to supply what he may have supposed my negotiations defective in.[8]

[8] Wharton.

III

"Mr. Adams is at Paris with Mr. Dana," wrote Franklin on March 31st. "We live upon good terms with each other, but he has never communicated anything of his business to me, and I have made no inquiries of him, nor have I received any letters from Congress explaining it."[9] There is no evidence that Dana took an active part in the curious polemic upon which Adams now chose to embark with Vergennes. Among the most persistent and irritating of Adams' illusions respecting his duties in Paris was a conviction that the court of Versailles presented a field for missionary endeavor. As a recent French writer has pointed out, he believed his duty lay in "over-riding the formal rules of diplomacy—in which he saw but the instruments of despotism—and their replacement by the pure precepts that govern the conduct of honest men living in a simpler and more ideal society."[10] Confident in the righteousness of the American cause, he scorned the urbane methods of the more tolerant and sophisticated Franklin. The latter cultivated not only the official relations that were so readily open to him, but also the brilliant world of the *salons*. In a "despotism tempered by public opinion" such social gatherings formed with the government "two elements distinct in appearance—yet contributing to the same resultant." The *salons* of Paris were a brilliant world apart, an influence that even an absolute *régime* was forced to tolerate. In a country where all political assemblies were rigidly forbidden, they offered a forum for a surprisingly free exchange of political ideas—where even pamphlets and gazettes were passed from hand to hand. Here, leaning on the arm of his deplorably popular grandson, the *bon Franklin* was everywhere an honored and welcome guest[11]—while the austere Adams found no other audience to edify beyond the officials whom he favored with his dispatches. That Dana sought to widen his circle of friends among this frivolous but powerful coterie of the Queen's "set" is shown by his contacts with such men as the gay young soldier, Lafayette. Concerning the "amiable Marquis" he now wrote in his journal of his "truly sociable and friendly manner."

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[9] *Ibid.*
[10] Renaut.

This was the period of Adams' diplomatic career most open to the criticism of his detractors. Dana was attached to Adams' interests by the terms of his commission. He was also bound to his fellow New Englander by ties of personal friendship. His views concerning the crisis that now arose (contained in the following letter to Carmichel, written a few months later) are of especial interest to an understanding of the background of the situation that ensued:

> I noticed the sentiments you expressed in your first, touching the cultivation of harmoney, & keeping up a good correspondence, among the gentlemen employed in Europe in the service of our Country. Former personal quarrels & animosities have, in my opinion, reflected no honour upon the persons concerned in them or upon their Country, but on the contrary have been productive of essential injuries to its interests. Duty as well as inclination therefore strongly concur in making me desirous, as far as my little influence may extend, of promoting such harmony & such correspondance; and I am happy in saying that I believe that there are now no obstacles in the way.

Many of the letters which Adams addressed to the French Minister of Foreign Affairs during the spring and summer of 1780 are significantly absent from his own journal. He may later have regretted his own ardent pursuit of a diplomatic objective without other excuse than an assertion of self-importance. The climax came when, on the 16th of June, Vergennes was favored with a communication which more than intimated that the American loans made by France were to be treated as mere "diplomatic transactions." The obligations of gratitude were denied: an ungracious interpretation of French policy sufficiently approaching the truth to be extremely irritating to the King's Minister. This was followed by a letter revealing the fact that jealousy of Franklin was the real impelling motive of this curious correspondence: "I am determined to omit no opportunity of communicating my sentiments to your excellency," wrote Adams without capitalization, "upon everything that appears to me of importance to the common cause . . . and without the intervention of any third person."[12] This gave Vergennes the desired opportunity to close the correspondence. On July 29th he wrote:

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[11] *Ibid.*

> I think it my duty to inform you that, Mr. Franklin being the sole person who had letters of credence to the King from the United States, it is with him only that I ought and can treat of matters that concern them, and particularly of that which is the subject of your observations.[13]

In these unfortunate differences Dana had persistently followed the rôle of peace-maker. Yet his own situation was wholly dependent on that which Adams might establish—or assume. It was probably in extenuation of the latter's views concerning Vergennes that he now wrote to Gerry:

> Believe me I have not the most distant design to raise in your mind a jealousy of this Court. But it is my clear opinion,

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[12] Wharton.

[13] *Ibid.*

that if we do not preserve a Tone and a Countenance, which manifests a conviction that we see and feel our own importance in the rank of Nations, every one, with which we have to do, will make us feel the want of it. Let us act as tho we did not consider any benefits we may receive from them, as flowing from mere grace and favor, but that at the same time we receive one, we confer another, which is in fact the case.

IV

Among other personages of importance to the revolutionary cause with whom Dana was thrown into contact during the early days of his stay in Paris was the picturesque adventurer who founded the American navy, John Paul Jones. Like all New Englanders, Dana rejoiced at the success of the American privateers who now swarmed like wasps in Great Britain's own "narrow seas." Their depredations even extended to the distant Baltic coasts, where Catherine the Great was ominously complaining of their piratical exploits. The battle which had made Jones immortal and raised him in the estimation of our allies from a "corsair" to an "Admiral" was fought in September. While his own ship, the *Bon Homme Richard*—named in Franklin's honor—sank beneath his feet, he had captured the British ship of war *Serapis*. For diplomatic reasons the *Serapis* was handed over to the French Admiral in the harbor of the Texel, where the presence of the rebel victor was offering a serious peril to Dutch neutrality.

Jones arrived in Paris on February 10th, and soon after the King presented him with a sword of honor inscribed to "the strenuous defender of the rights of the sea." He appeared at Marie Antoinette's levee with Franklin "and the Commissioners" and was presented with "a fob chain and seal." He recorded his sailorlike opinion of the French Queen as a "sweet girl."

Jones soon went to lodge with the Duchess of Chartres at the Palais Royal, and became the most fêted man in the French capital. In the eyes of the American Commissioners, except Franklin, he was wasting his patriotic time. As early as March 3rd, Dana wrote that: "Our friend and your correspondent, Dr. Lee, this day took leave of us being about to depart for America in the *Alliance* now commanded by Captain Jones." But Jones, who was tasting all the sweets of victory in the gayest capital of Europe, was not to be hurried away upon the service of a man who was the enemy of his patron Franklin. Such conduct seems to have been deplored by Adams and Dana, and the latter wrote that the "matter must be seriously inquired into." He even added a few lines of warning to his correspondent.

"When 'tis understood, I have no doubt, Justice will be done. I find by the Journals of Congress that a motion was made to thank Capt. Jones, which was referred to the Admiralty Board, and I see nothing more of it. I can only say, I am glad Congress did not suddenly commit themselves in this Business. Jones unquestionably is a brave man." This half-praise tells the story of Lee's predicament. He was now all fire and flame—chafing at delays that prevented him from telling his tales to some Committee of Congress. The departure of the *Alliance* from France had been prevented "by the need for repairs," and Jones (if we may believe Lee's later statements) had obstinately refused to leave the delights of Paris. This was the cause of a final indiscretion on the part of the "militia diplomat." "By the advice of Mr. Lee," Landais, a half-crazy French naval officer (who had almost upset Jones' plans at the crisis of his famous battle by firing an unexplained broadside into his own commander's ship), now mutinously seized the *Alliance* and "threw Jones' baggage upon the dock." Franklin was, however, too anxious to be rid of Lee to give the orders requested by the French authorities to enable them to arrest Landais. The *Alliance* and her cargo of trouble-makers were allowed to depart. After an exciting voyage during which the captain's lunacy became so violent that he was placed under restraint Lee and Izard were finally able to reach America.[14] As Dana wrote of this event:

> The Ship Alliance has been the Cause of much Dispute in this Country. I mean not to give you my opinion in this affair, I have only to entreat that whether Capt. Jones, or Capt. Landais carries her home, that you wou'd endeavour to prevent any sudden determination in this business. Let them both be fully heard, before any decision is made.

Dana, it may be inferred, failed to approve of Jones and was incorrigibly loyal to the respectable Doctor Lee (whom Jones now "accused of filling his ship with personal baggage including a post chaise"). But in considering these undignified bickerings among the revolutionary diplomats—concerning which Dana's letters throw many valuable side lights—it must be recalled that they were but the distant echoes of the quarrels with which the halls of the Continental Congress were now to resound—the outcome of that committee system against which Washington had prevailed.

V

From the beginning of his stay abroad Dana was convinced that the final decision in America would turn upon a "preponderence at sea." It was perhaps this conviction that made him impatient of Jones' desire to prolong his "shore leave." Like a true New Englander he placed his faith on the "wooden walls" of the American privateers—the nucleus of his country's navy.

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[14] Wharton.

The policy that finally resulted in the *coup de grace* of Yorktown was from the first that which he desired to see adopted by the Bourbon Alliance. On learning from Lafayette of the departure of "twelve sail of the line with eight thousand troops," he wrote to Judge Parsons:

> Shou'd the Ministry pursue their plan of keeping a superiour force in the West Indies, which they certainly may do, and shou'd this armament be in fact destined for our Country, I shall have strong hopes, notwithstanding the late successes of our Enemies, that our combined force will enable us to give them a home stroke. Nothing, in my opinion, less than New York, ought to be the object. If we succeed there, we shall have bruised the Serpents head indeed.

He welcomed the news that American privateers were giving good account of themselves in European waters. On March 18th he wrote to the same correspondent:

> I have had the pleasure of reading in the Courier de l'Europe a paper which circulates through all these countries, a list of prizes condemned on the 7th of last December by Judge Cushing, to the number of 25. I hope care will be taken to publish very particularly all future condemnations. This you know was suggested to you by Mr. Adams and I presume the publication was first made in consequence of it at Boston. It astonished many gentlemen here, who had no adequate idea of the depredation committed by our privateers upon the British navigation and I am persuaded that a publication of all our captures would astonish all Europe and have a very happy effect in beating down the falsities industriously propagated by England.

The opinion held by Dana that the outcome of the war would chiefly turn upon the proper employment of French and Spanish sea power in conjunction with the efforts of the American privateers, was now beginning to be shared by the British themselves. A formidable hindrance to the British Ministry's original plans for subduing the colonies was now apparent through the complaints of the despoiled London merchants. The value of sea power, a factor less familiar in America, was constantly impressed by Dana upon his New England friends:

> I flatter myself that the campaigns of this year will be more successful on our part than those of the last. The capture of the *Protea* and three of the convoy, part of the fleet bound to the islands of France and the East Indies, by Admiral Diggs, was an unlucky stroke but hath not prevented the residue of the fleet proceeding to their destination. The action with Langara has shown the British what a resolute and brave enemy they have in the Spaniards. It served to rouse the spirit of that nation. I have this morning been told that ten Spanish ships of the line and ten battallions have sailed from Cadiz to America; their particular destination is uncertain but they can not go amiss into those seas; 'tis there that England must be conquered and 'tis there she most dreads her enemies and not in their vain threat of invading her home dominion.

On April 29, 1780, Dana again wrote to Judge Parsons at Newburyport in an ascending tone of jubilation respecting the interior situation in Great Britain, as it presented itself to the Commissioners in Paris:

> Our prospects brighten up and all things seem working together for our good. Let us have patience and I presume they will come about as nearly right as can reasonably be expected. Britain has not a single friend among the maritime powers of Europe. There is no danger of our enemies multiplying. The war with America is boldly reprobated by the great leaders of the people of England and I am in hopes that it will soon become as unpopular with them as it ever was popular. The people begin to adopt the tone and language of their leaders in this respect. [Translation from English to French—and back again—was probably responsible for the somewhat breathless tone of the following:] The great county of York has passed the following resolution touching the American War: that it is the opinion of

this meeting that the prosecution of an offensive war in America is most evidently a measure which by employing our great and most enormously expensive military operations against the inhabitants of that country prevented this from exerting its united, vigorous and firm efforts against the powers of France and Spain and has no other effect upon America than to continue and thereby encourage the enmity which has so long and so fatally subsisted between the arms of both, can be productive of no good whatever but by preventing conciliation threatens the accomplishment of the final ruin of the British nation.

CHAPTER VII

THE REVOLT OF THE WAVES

I

THE American Revolution—symbolized by good Doctor Franklin's fur cap and wigless head—had become the fashion in Paris. In a far-off land the dreams of M. Rousseau, the fashionable philosopher of the *salons,* were being realized. Even to the feudal lords of France, Liberty was a noble experiment when viewed from a convenient distance. Had Adams and Dana so desired, they too might have enjoyed the social distractions of being "lionized." Charming hostesses were ready to entertain them, as Franklin, John Paul Jones and many other less worthy Americans were entertained. The young Marquis de Lafayette—crowned with his laurels from overseas—would have been glad to introduce them to company either grave or gay. In this young soldier the Puritan Dana found much to admire. His home was a model of noble propriety, and every furlough was regularly marked by the subsequent appearance of a new heir to the great name of Lafayette. Adams' secretary, who had met the Marquis at Valley Forge, cultivated this acquaintance, and began a correspondence which, although somewhat one-sided, was continued for many years. It was from the Marquis that Dana learned of the imminent departure of the Rochambeau expedition which was to replace the unlucky Armada of D'Estaing—and quoted his informant proudly to Judge Parsons. As he wrote to this American correspondent:

> Altho I am in better health than I have long enjoyed, and am well pleased with this country, yet I cou'd wish that in the mean time, some kind of employment, other than the present, which is very trifling, might be given us, so that a better opportunity for compensating our Country for the expence we put it to, may be had, I must however insist upon it, that you do not communicate this Idea to any body, for it may be thought to proceed from personal motives or views.

But, unlike his colleague Adams, Dana's energies found an outlet in less dangerous fields than the writing of diplomatic notes—or the offering of unasked advice to the Ministers of the Most Christian King, America's haughty but very serviceable ally:

> Our present task is not a hard one, and we (sic) acquiesce under it. Indeed I hope to have an opportunity at any rate to acquire the language of this Country by the time I shall quit it. To do this is a hard task indeed, to set oneself to study words and not things, at my time of life is very disagreeable, but it must be done. What I suffer every day for want of the language, will I hope, quicken my diligence.

His long letter to Parsons closed with a significant paragraph:

> It is said that a quintuple alliance has been entered into by Sweden, Denmark, Russia, Prussia, and the United Provinces to maintain the honor of their flaggs.

II

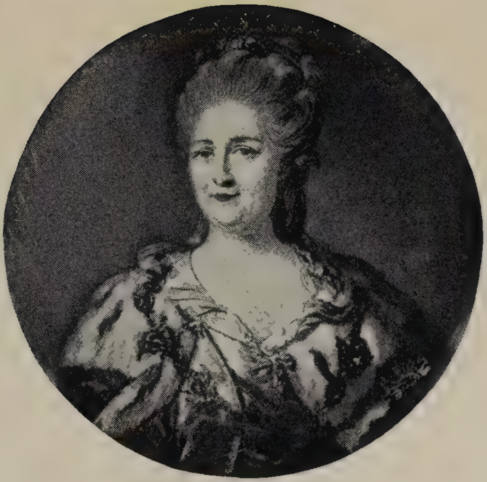
Dana thus first calls attention to a political event which was to have a notable effect upon his own fortunes. The influence exerted upon the course of the American Revolution by the coalition of neutral powers which under the ægis of the Great Catherine now combined their naval strength to oppose the pretensions of Great Britain on the seas has been neglected by American historians. Even Admiral Mahan's notable study of the influence of sea power on the revolutionary struggle fails to enlarge upon its wider implications. Here was an issue that for the first time linked the fortunes of the colonies with the great fabric of diplomatic alliances, military agreements, and treaties —the documentary foundation upon which trembled the fragile equilibrium of the European "Balance of Power."

In a prophetic analysis of the European situation which John Adams had communicated to Congress just before the declarations of the Armed Neutrality were made public, occurs the following masterly review of the factors underlying that great event:

> The project of being the sole master of the sea, and of commanding all commerce is no less chimerical nor less ruinous than that of universal monarchy on land, and it is to be wished for the happiness of Europe, that England may be convinced of this truth before they shall learn it of their own experience. France has already repeated several times that it was necessary to establish an equilibrium or balance of power at sea, and she has not yet convinced anybody, because she is the dominant power and because they suspect her to desire the abasement of the English only that she may domineer the more surely on the continent. But if England abuses her power, and would exercise a kind of tyranny over commerce, presently all the states that have vessels or sailors, astonished that they had not before believed France, will join themselves to her in avenging their injuries.[1]

The intervention of France in the struggle between Great Britain and her colonies which had resulted in the treaty of February 6, 1778, was in fact based upon this issue of mutual interest. To secure the freedom of the seas, France and the United States became parties in a struggle where the liberties of both were at stake. To

[1] Wharton.



CATHERINE THE GREAT

off-set Great Britain's arbitrary interpretation of the right of blockade, her abuse of the process of visit and search, and her arbitrary extension (to suit her own momentary purposes) of the list of contraband goods, France had long meditated a protest in arms. These grievances had been set forth at length in the new Franco-American treaty:[3] Blockade was defined as an actual measure to be exercised by ships of war and not by decree. The right of search on the high seas was confined to an examination of the official papers of the vessel, rather than a perquisition on board. (Art. 27.) Contraband was limited to arms and ammunition alone, and the transport of naval stores was expressly authorized. Finally the freedom of enemy goods under a neutral flag was especially set forth. Thus the new Franco-American treaty was not only an expression of military solidarity, but also a new statement of international law anticipating the practice generally accepted at the present day.[4] It was a gesture of defiance against the "Ocean Tyrant," a manifesto in which Vergennes, the French Minister of Foreign Affairs, associated the old grievances of the maritime powers of Europe with the newer wrongs of the revolted colonies.

Of many questions separating America and Great Britain, Vergennes had little understanding. His very practical aim was to destroy the far-flung hegemony which England had exercised since the Peace of Paris of 1763. This, in its most galling aspect, had amounted to an annexation of the free waters of the ocean. So overwhelming was the strength of British sea power at the close of the Seven Years' War, that the laws and customs of the British Courts of Admiralty had, in practice, regulated the entire commerce of belligerents and neutrals. France and Spain sometimes ventured

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[2] Mallory.
[3] Fauchille.

to assert their own rules of sea law differing from those approved by the Cabinet of St. James's. But the superiority of Great Britain's fleet made her in fact as well as by proud tradition the "Ruler of the Waves." The revolution in America had its counterpart in the revolt of the European maritime powers against British pretentions to regulate the whole conduct of maritime warfare and the rights of neutral commerce.

Moreover, in placing himself at the head of a crusade to secure the Freedom of the Seas, Vergennes had wisely seized upon the only issue which might unite the Great Powers without prejudice to the differences that separated their continental policies.

III

The revolt of her colonies had drawn down upon the mother country the vengeance of unexpected enemies. By her exactions on the sea Great Britain had offended not only France and Spain, but even more deeply the maritime powers of the North, Russia, Denmark and Sweden. The outbreak of the hostilities between Great Britain and the Americans had immediately brought about the application of strict rules and regulations concerning neutrals that England was successfully imposing as "law" on the powers of the Baltic. A flourishing contraband trade had sprung up, via the West Indies, between the colonies and these northern ports. The merciless application of the British code, supported by her fleets of privateer cruisers and public ships, soon piled up a series of grievances which Vergennes was quick to exploit in pursuance of his plan for accruing the Freedom of the Seas.

A proper understanding of the part Dana was called upon to play in the somewhat obscure policy of Vergennes, requires a brief review of the latter's earlier negotiations with the Northern Powers.[4] The importance of securing an "Armed Neutrality" (and its possible effect upon the struggle between Great Britain and her colonies) was at first observed by only a few Americans. A possible exception is that curious and enigmatic figure, Stephen Sayre, whom Dana had met in London and was to find on his arrival in St. Petersburg hovering about the back-stairs of the Russian Court, playing the rôle of "American Agent." Stripped of his London honors by the outbreak of war, Sayre had become a diplomatic adventurer. For a time he acted as Secretary to Arthur Lee. When that "militia diplomatist" was robbed of his papers in Berlin, he tried to make Sayre the scapegoat of that somewhat burlesque occasion. Sayre's refusal earned for him Lee's ready and undying enmity. He became an agent for Vergennes and, without question, seems to have attended the earlier diplomatic conferences held in Copenhagen (June, 1778) that led to the first pronouncement of a policy of armed neutrality by the Northern Powers.

In the Sparks Mss. appears the transcript of a somewhat disingenuous "Memorandum" by Sayre, which would prove the participation of the American "free lance" in this important negotiation. (This document was probably intended to bolster up his pretensions before a Committee of Congress appointed after the war to pass upon the merits of his claim for "diplomatic services rendered during the Revolution.") Sayre herein asserts that "as a friend of Lord Chatham" (sic) he was received by the Danish King Frederick "who under such circumstances" had promised and done everything in his power "to aid Mr. Sayre in effecting the 'Armed Neutrality.'" He further affirms that on a subsequent visit to Sweden he "had a private audience with the King himself," and the latter, according to promise, "sent a message pressing the Empress of Russia to join the measure."[5] Thus according to his own account, Sayre was the first American to link the freedom of the American colonies with the fast-spreading "Revolt of the Waves." In aiding Vergennes' purpose he was performing an important, if unauthorized, service to his country.

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[4] Doniol.

To separate the elements of truth from the bombast that underlay his somewhat extravagant claims offers a fascinating historical problem. That Sayre, when at Copenhagen, "had the command of as much money as he chose . . . how he obtained it I know not," is borne out by a letter in the recently printed Lee Papers.[6] Franklin had written him at this time that he had "no employment worth his accepting." It may well have been French money furnished by Vergennes that enabled him in the autumn of 1778 to appear at Copenhagen in one of his usual contradictory rôles. But Franklin's opinion concerning the proposed "League" could not have been encouraging for in January Sayre sarcastically writes that although "aware that America does not need the good-will of any more European powers,"[7] he will persist in his rôle of "American Don Quixote." He then passed to Stockholm[8] whence he again wrote in the following March that he is "well pleased at the disposition of Sweden towards America."[9]

Adams and Dana, possibly Franklin himself, seem to have been unaware of these earlier negotiations by the French Foreign Minister. In their eyes Sayre was a diplomatic nuisance—discredited by his connections with the failures of the Lees and Izard, and always ready to embark on unauthorized adventures. At a later date it, moreover, became convenient to ascribe to the Empress Catherine the credit for the enlightened measures involved in her *Neutralité Armée*. Even Vergennes discreetly stepped into the background when the Tsarina seemed ready to defend the plans for a new code of maritime law. How jealously she adopted these measures as her own exclusive projects was revealed by the dismissal of her favorite minister Count Panine, who had indiscreetly laid claim to a part in their authorship. When the defense of the Free Ocean became a cardinal point of American foreign policy the exaggerated claims of an obscure adventurer to have originated these plans was treated with contempt—nor does the name of Stephen Sayre anywhere appear in the histories of this important combination.[10]

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[5] These incidents were brought to the author's attention by Dr. Worthington C. Ford, the editor of the important collection of Lee Letters.

[6] Lee Letters.

[7] Franklin Letters.

[8] *Ibid.*

[9] *Ibid.*

IV

The diplomatic system pursued by Vergennes was, indeed, more complicated and far-reaching than the accredited American envoys were in a position to realize. Adams, in his patriotic zeal, reduced every question touching the French Alliance to one of the American Liberties. Vergennes, on the other hand, constantly kept in view the broader interests of the European system. It was essential for both the French navy and the maritime commerce of France that the neutral nations be left free to furnish her with naval supplies—a policy to be supported at any sacrifice. To encourage their neutrality as well as their resistance to the limitations which England sought to place upon neutral commerce became the central motive of his diplomacy regarding the Baltic powers.

[10] Cf. Scott.

Catherine of Russia, who was to become the patroness of the Armed Neutrality, at first held herself aloof from these negotiations. It was fortunate for the success of Vergennes' projects that British ships soon began to apply the obnoxious "right of search" to vessels in the Baltic with all their accustomed vigor. In the first days of the war with the Bourbon Alliance (August, 1778) British corsairs seized a large number of Swedish and Danish vessels laden with non-contraband merchandise for France. In the following October the French Foreign Minister urged that Denmark and Sweden should attempt to include Holland in the proposed neutral league.[11]

But Vergennes was probably under no illusions that Catherine sympathized with the "just" cause of the American rebels. In 1775 she had refused to lend the Russian troops that King George had implored her to send as an expeditionary force to America, and had sermonized her royal correspondent concerning the lack of dignity involved in such a request from the fact that the rebellion involved "no foreign power." [12] Her conduct had given rise to many false hopes in Congress concerning the Tsarina's "liberalism." But a grave crisis involving Russian and American interests had arisen in the Baltic just before the arrival of Adams and Dana at the French capital.

With Vergennes' plans at their most critical period of development, his schemes were unexpectedly complicated by the ill-considered exploits of American privateersmen in the North Sea. In August an American "corsair" with a crew of fifty men and twenty cannon had attacked a convoy of eight Russian vessels proceeding from Archangel to London, making a prize of three of them, and seizing the cables and anchors of the others.

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[11] Prittewitz.
[12] Martens.

Harris, the British agent at St. Petersburg, did not fail to make the most of this incident, and Catherine was not unnaturally furious at such audacious interference with Russian commerce.

It must be admitted that many of the earlier exploits concerning which Dana wrote so complacently in his praise of the patriotic American privateers appear to differ but little from ordinary piracy. In a characteristic letter written by the Empress to her correspondent in Paris, the philosopher Grimm (August, 1778), the Imperial "Volcano" poured the lava of her ready indignation upon the conduct of these "Sons of Liberty" on the high seas: "You have heard of the affronts these Americans have placed upon me," she wrote. "I promise you that the first one of them who touches the Arkhangel trade next year will pay me double. I am not like Brother G. (Gustave of Sweden) and no one can sit on *my* nose. I am furious—entirely furious." [13]

Nor can it be denied that the Empress was justified in her protests. Adams and Dana—who were presently to join the chorus of her admirers—were naïvely uninformed regarding these events. In almost lover-like language they eulogized her defense of neutral rights—never doubting that a monopoly of all public virtues lay on the side of the Americans and their allies. The Tsarina, they believed, was well-disposed towards the American colonies.[14] They knew that until the American privateers had invaded the Baltic, she had been content to observe, even with a certain malicious satisfaction, the tremendous losses they inflicted upon British commerce. As her minister in London reported in March, 1778, these amounted to more than three million sterling—and the almost complete ruin of the fisheries. The appearance of such enterprising mariners on her own coasts could not be disregarded. Russian cruisers were sent to patrol the North Sea, and the Empress at last seriously opened negotiations at Copenhagen. Her suggestions included a combined Russian and Danish squadron which should begin a campaign against the Americans.[15] In Sweden, where the King was inclined to take the side of France, the Swedish Chancellor asked the French Minister that "the King should advise the United States to prevent their privateers from disturbing" Baltic commerce, "for fear of exciting Russian reprisals."

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[13] *Correspondance.*

[14] Martens.

Count Panine, the Russian Chancellor, whom Adams referred to as "our friend," declared that it was a "matter of indifference to Russian interests whether English or Americans should become the object of possible concerted action." In view of these tactless and maddening depredations, the league of neutrals which Vergennes had already induced the Swedish and Danish courts to declare, and which the Great Tsarina was now prepared to join seemed about to turn to a pro-English, rather than a pro-French combination.[16]

V

If France had espoused the American interests to check Great Britain on the seas, the principal end pursued by Spain was the recapture of Gibraltar. The siege of that place caused her to lean towards a different interpretation of the laws of maritime neutrality from that desired by Vergennes. The immediate Spanish interests even favored the practice followed by the enemy respecting blockades, while the situation offered ironical complications to the British in maintaining their own point of view. As Adams and Dana were approaching the Spanish coast in the last weeks of the year 1779,

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[15] Fauchille.

[16] Malmsbury.

Spanish cruisers seized no less than fourteen Dutch vessels bound for Gibraltar, together with several ships flying the Swedish and Danish flags, and justified these aggressions by an appeal to British practice. Vergennes immediately instructed his agent at Madrid to express the desire of the French King that "neutrals be allowed to enjoy their rights at sea." [17] These protests were carefully reported to St. Petersburg, but before they had borne fruit at the Spanish Court, an event occurred which risked the downfall of the entire French system of diplomacy. In February, 1780, news was received at Catherine's Court that the Russian ship, *St. Nicholas,* loaded with grain for Malaga, had been seized by the Spanish fleet under the suspicion that the "ultimate destination" of her cargo was Gibraltar. The ship and its contents had been sold at Cadiz by a prize court. Two days later Catherine issued orders that fifteen ships of the line be fitted out for service in Spanish waters. The jubilation of Harris, the British envoy, was only marred by the fact that the Empress, in informing him of the fact, made it clear that her action was one of international "police," and that under no circumstances would she allow herself to be drawn into the war.

A few days later Catherine again had occasion to write a letter to Grimm, announcing the imminent publication of the celebrated declaration known to history as the Armed Neutrality: "You will hear one of these days that a certain declaration has been issued which you will probably find truly volcanic. There was nothing else to do. . . . This spring and during the summer a number of Russian vessels will touch at Livorno and they may even bring home the Raphaels." In her inimitable diplomatic manner Catherine was assuring the safe passage to Russia of the magnificent paintings she had purchased for her collection at the Hermitage by the proclamation of the famous rescript, laying the foundation of her reputation as the protector of international law![18]

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[17] Fauchille.

VI

More than the judgment of a feminine rival underlies the complaint of Maria Theresa concerning Catherine of Russia that "even her most ill-conceived policies turned to her profit and glory."[19] The "Armed Neutrality" whose principles she now adopted—or rather appropriated for her own glorious ends—was hailed by the chorus of her philosopher pensioners in France and Germany as an Olympian gesture protecting international justice and right. (If the Tsarina's letter to Grimm be taken into account, her original purpose was not only to serve the ends of a higher international law, but also to satisfy less imposing feminine ends.) In their final form these declarations were, however, a distinct advance on the practice of the time. In the American Congress her declarations were accepted as further proof of the Tsarina's philosophical devotion to the "liberties of mankind." How shallow was this devotion and how "conjunctural" was her policy may best be understood by a review of the curious intrigue that preceded the promulgation of the manifesto of 1780—the Magna Carta of Ocean Freedom. The prime mover in the earlier stages of this negotiation was Vergennes—and his motives were to embarrass the operations of British cruisers. All his efforts to induce Russia to join the neutral carrying nations and to make common cause against the "Tyrant of the Sea" had at first remained ineffectual. The reckless activity of American privateers had almost defeated his well-laid plans. Cleverly seizing upon

[18] *Correspondance.*
[19] Garden.

a proposal made by the British Envoy that the Powers of the North should make common cause against the "American Corsairs,"[20] he directed the very capable French Chargé Corberon to use "every means" to win over the Russian Minister Panine to the side of the Bourbon powers. The "Golden Key" was fitted to the locked doors of the Foreign Office. In October, 1778, he was rejoiced to receive a report from St. Petersburg that Catherine was in no way averse to a *rapprochement* with the French Court. Meanwhile, French diplomacy was bringing active pressure to bear upon Holland, Denmark and Sweden. In December, 1779, Vergennes instructed Corberon "to find out how far the Empress was disposed to a concert."[21] An "armed neutrality" exercised through the employment of convoys for merchant vessels was soon in actual operation, and a convention was signed between the Powers of the North called the "Russian-Swedish-Danish Concert" which secured the neutralization of part of the Baltic.[22]

Meanwhile the singular conduct of the Spanish Navy offered the British Envoy at St. Petersburg an opportunity to employ his talents for intrigue. The actual departure of the Russian fleet for the Mediterranean revealed to Harris that the Tsarina was at last aroused not only by the Spanish corsairs but also by the arrogant conduct of British commanders. Concerning the menace of Russian sea power to Great Britain, he was under no immediate illusion. The fleet, he reported, was manned by discontented and dejected "crews, who though complete, are not sea-faring men, and have a sickly cadaverous look." In addition to the *mal-de-mer* that afflicted Catherine's sailors, the vessels were "old, and scarcely able to resist a hard gale, certainly not a

[20] Doniol.
[21] *Ibid.*
[22] Prittewitz.

well-directed broadside."[23] Rumors now reached him that Panine, the Minister of Foreign Affairs, "had been entirely won over to the Bourbon interests," and was preparing "a convention to unite the five neutral powers." When the famous manifesto was issued in April 1780 the British minister thought that American corsairs were the object of Catherine's anger. But this document was aimed at *all* the belligerents and stipulated "that if the trade of any of them (The Neutral League) is molested, all are to join to vindicate the *honor of their flag.*"[24] Harris was becoming seriously alarmed at the turn affairs were taking. "The present disposition and the conduct of this Court," he wrote, "are beyond the reach of my penetration." To Lord Stormont he confessed that ("in consequence of the permission received") he had ventured to approach "the only person whom Prince Potiemkin admits to his entire confidence." He had even been obliged to use a "little delicacy in addressing him." As the result of the bribe hinted at, he obtained "a very true though rather unsatisfactory picture" of the situation. The Empress was determined "to observe a perfect neutrality, though to our prejudice."[25] He was also disturbed to find that she was determined on "forcing a peace."[26] The policy of neutrality and mediation that Catherine was to pursue throughout the war between Great Britain and her colonies was now fully determined.

Had an American agent been present to profit by the Tsarina's new formulæ of "Peace," Harris' situation might well have taken on the semblance of a tragedy. His attitude was that of a diplomatic Laocoön thrusting aside the strangling folds of new alliances rising on every side. Vergennes' plan to crush the "Sea Tyranny" of

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[23] Malmsbury.
[24] *Ibid.*
[25] *Ibid.*
[26] *Ibid.*

Great Britain was everywhere succeeding. The British Envoy also learned that at The Hague, Prince Galitzin, a partisan of the French, was urging a more aggressive neutrality upon the Dutch. The prospect of trading with the American colonies, he advised, was worth the risk of breaking with Great Britain. Such a prospect aroused Harris to new tirades against "revolutionaries."[27] He reported a confidential communication from the Empress which even "expressed a wish that King George should renew our propositions of reconciliation to the Americans." Meanwhile from Paris, where Dana was anxiously awaiting an opportunity that would justify his presence in Europe, he now wrote to his correspondent, Judge Parsons:

> It would seem things will not remain in their present state between England and Russia. Should the latter succeed, as it is probable she will, effecting her proposed alliance for establishing what she calls the freedom of navigation and commerce of neutral nations, England must not give the least interruption to her commerce unless they would make her their open enemy. She is a character not to be trifled with.

He, however, added an important comment, involving the eternal paradox of America's European attitude:

> No country, it appears to me, can be more benefitted in future by this than America, whose wisdom I hope in God it will be to hold herself free from the entangled system of Europe and all their wars.

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[27] *Ibid.*

CHAPTER VIII

DUTCH COURAGE

I

CATHERINE THE GREAT was now ready to assume the important part which during the critical days of the American Revolution she continued to play in European affairs. The opposition of Russia was an unexpected blow to Great Britain. As Dana wrote to an American correspondent:

> At last the world sees what kind of an alliance Russia hath formed. The British ministry hath caused it to be circulated through Europe that Russia was their ally, nay, a late court paper carried the matter so far as to publish the actual arrival of fifteen Russian ships of the line and a number of transports at Portsmouth, *furnished in pursuance of their late treaty with the Empress*. And this was held up as an ample compensation for what they called the defection of the Dutch who have declined granting the favors demanded of them by Britain in Consequence of subsisting treaties.

Respecting the effect of the armed neutrality upon British relations with the Dutch, Dana observed with some optimism:

> The King in council held the 17th instant hath declared and ordered that the subjects of the United Provinces shall henceforth be considered upon the same footing with those of other neutral states, not privileged by treaty; and hath suspended privisionally and until further order all the particular stipulations, respecting the freedom of navigation and commerce in time of war of the subjects of the States General. . . . How the Empress will consider this declaration

> or rather whether she will make a counter declaration in affirmation I know not.

The arrival of the Adams-Dana mission in Paris almost coincided with a series of diplomatic incidents that threatened to involve the entire "system of Europe" in the quarrel of Great Britain and her colonies. The great Empress of Russia had adopted Vergennes' earlier plan of a "Neutral League." She also, somewhat fortuitously, assumed the rôle of a universal mediator in the differences that were distracting two continents. Her grandiose program was hailed by her philosopher-pensioners, Grimm, Diderot, and the rest, as a revival of a Golden Age of international law and world order. Adams, who in the phrase of Emerson carried America "in his eye," saw in the new League "one of the principal results of the American revolution." Dana believed that the center of gravity in European diplomacy was shifting. The balance of power seemed about to pass irrevocably to the side of the great neutral power of Russia and her Baltic allies. To his father-in-law, Ellery (August 21st), he wrote:

> The Congress of the neutral federated Powers, which it was expected wou'd have been held in Holland, it is settled, at the request of the Empress, shall be held at Petersbourg; a Region not contaminated with British influence. This Lady walks forth upon the political Theatre, with a dignity becoming herself, and the Princes on the Continent of Europe, seem very ready to pay her their Devoirs. The Emperor, had complimented her with a personal visit, and the Prince of Prussia hastens to do the same.

Respecting the position of our ally, the French King, in the scheme of Catherine's new policies he added:

> The Monarch of this great Empire has not failed, in his answers to her declaration to the belligerent Powers, to pay her very great and particular respect. Sweden & Denmark

> have followed her exactly. Thus all the principal Powers of Europe, seem to be moving on in perfect harmony, England alone excepted, who possibly may be able to retain Portugal in a state of Inactivity, if the other Powers will suffer it. Even the House of Austria seems not adverse to the present System of the Confederated Powers, and I may add, of France and Spain too; for all tends to the same end, the reduction of the Power, and the humiliation of Great Britain.

The French Foreign Minister had been quick to fathom the new implications of both the offered mediation and the Neutral League. If that very authentic aristocrat, Lafayette, with the blood of the Crusaders in his veins, furnished the romance of the American Revolution, it was Vergennes of the lawyer nobility who offered the necessary realities. Beneath the great court wig which his duties as Foreign Minister obliged him so constantly to wear, his brain was ever seething with astute plans. Yet, unlike most of his diplomatic colleagues, he abhorred intrigue for its own sake. He possessed, moreover, a knowledge of the part played by good faith in international relations too often lacking in the make-up of the statesmen of his time.

There were, however, broad principles of European statesmanship involved in Vergennes' plans that escaped the attention of Adams and Dana. In the League of Neutrals the American diplomats were determined to see a combination of the powers hostile to Great Britain and therefore prepared to aid and sympathize with the "cause" of the American liberties. The French Foreign Minister, on the other hand, realized the real meaning of Catherine's determination to place herself at the head of the Baltic powers and to play the rôle of mediatrix. The Tsarina was embarked upon a very feminine course. She was bent upon strengthening, or perhaps dramatizing, her own part in the Concert of Europe.

At a time when Adams' differences with the French

Foreign Office were at their height, an incident occurred, not only irritating to Franklin and Vergennes, but of a nature calculated to thwart the latter's well-considered plan of ranging the Dutch republic on the side of the neutral powers of the North. It was also an incident that may have had a bearing upon Dana's subsequent difficulties at the Tsarina's court.

II

At the end of May, 1780, an American privateer, *The Black Prince,* captured a Dutch vessel, *The Flora,* laden with enemy non-contraband goods, while cruising in the English Channel. No more inopportune moment could have been chosen for such an act, and the French Minister at The Hague immediately complained in no uncertain terms to the Cabinet at Versailles.[1] Several facts connected with this incident made it of special significance. Holland was inclining towards a break in her diplomatic relations with Great Britain. *The Black Prince* had been fitted out in a French port, and French diplomacy was directly involved. When on June 17, 1780, Vergennes protested to Franklin against the condemnation of the Dutch prize, he added "such an act of justice on your part seems to me all the more necessary, as it would but seem a consequence of the wise policy we have pursued towards the neutral powers."

Although John Adams had communicated the terms of the declaration made by Catherine to Congress (May 13, 1780) he now seems to have fallen back upon an interpretation of the earlier practice favorable to the American privateer. When Franklin brought the matter to the attention of the new Commissioners—he was surprised to find them opposing the very doctrines they had hailed as "an essential change in the law of nations."

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[1] Fauchille.

"I consulted with Messrs. Adams and Dana," [2] he wrote, yet these gentlemen now informed him that it was "an established rule with us in such cases to confiscate the cargo but to release the ship, paying her freight!" Franklin contented himself, in the interest of harmony, with observing in his report to Congress that in view of the approbation of the League expressed by France and Spain, it was a "critical time with respect to such cases." He expressed approval of the new practice of "Free ships, Free goods," and ventured a hope to see the principle extended to all unarmed trading vessels "working for the common benefit of mankind." [3]

The owner of *The Black Prince* was Robert Morris, an important figure in Congress, whom, doubtless, Adams and Dana feared to offend. Dana's enthusiasm for privateers and privateersmen is also to be reckoned with. A few months later he wrote to Thomas Cushing (October, 1780):

> I have been exceedingly chagrined upon seeing an embargo imposed by our State upon Privateers. I suppose the measure to be adopted upon the old ground . . . the army must be recruited. I never yet knew that it answerd the End proposed, or any other valuable purpose. On the other hand I think I have seen many great mischiefs from it. . . . Let your Privateers range when and where they list, and throw open all your Ports, and give every possible encouragement to the exportation of your produce. Heaven sendeth it to you in great abundance, and no scarcity need be dreaded while we have rains and Sunshine.

Sympathy with America's "militia navy" now clashed with the broader needs of diplomacy. On the 19th of June, 1780, Franklin announced to Vergennes that *The Black Prince* had been allowed to keep the goods seized from *The Flora* although the corsair's owner had been required to pay the latter the amount of the freight. Realizing how objectionable such a course would appear to the French Cabinet, he added a postscript that the whole matter might well be passed upon by the Admiralty Courts of the Kingdom.

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[2] Bigelow.
[3] *Ibid.*

His patience at last exhausted, Vergennes now laid the matter before Congress:

"Continued depredations of the Court of London," he wrote, "have aroused the attention of the Northern powers, especially Russia. These powers have made declaration to the belligerent powers which are uniform in their principles respecting neutrality. . . . It is therefore all the more important that the Americans should adapt their maritime regulations to our system which has become that of the neutal powers . . . and it is therefore the more necessary that Congress should issue analogous orders to her privateers."

The incident, however, was a revealing one. The untrained diplomacy of the American republic was still to reserve several surprises for the much tried French Foreign Minister.

On the 27th of November, 1780, Congress passed resolutions fully supporting these contentions.

III

During the closing months of the year 1779 and the early spring of 1780, the Republic of Holland became the center of Vergennes' diplomacy. By the terms of the treaty of 1674, the Dutch already enjoyed the coveted privilege of "Free ships, Free goods," for which the other powers were contending. This favor enabled their vessels to carry the merchandise of England's enemies (other than contraband) even in war time. In return for this lucrative advantage, Holland was bound to furnish troops and vessels upon England's demand.

Vergennes belived that the continued neutrality of Holland and her adherence to the Neutral League was the end to be sought by French diplomacy. As Dumas, the faithful friend and Agent of Congress at The Hague, pointed out in his dispatches,[4] this course was not without its advantages to the United States. American commerce, driven from its usual channels by the British raiders, found an outlet in the Dutch West India Islands, notably at St. Eustatius, where the canny Dutch governors were first to salute the American flag.[5] Amsterdam took the place of London as the market for American rice and indigo, and even war material reached the colonies from England through the connivance of these strange "allies" of George III.[6]

The real crisis in Anglo-Dutch relations had, however, occurred on the 27th of December, 1779. A great convoy of Dutch ships had sailed for the Indies and Mediterranean from the mouth of the Texel. The guard fleet was commanded by Admiral Byland, and the broad-beamed merchantmen were chiefly laden with naval supplies. Out of respect to the British prize court decisions, both masts and planks had been omitted from their cargo.

On the 31st of December, before Portsmouth, Byland's convoy was intercepted by Admiral Fielding with six British ships of the line and several frigates. The Dutch admiral refused to submit to a search, and when Fielding insisted, he was fired on by the Dutch ships of war. A number of the convoyed vessels were immediately seized by British prize crews and taken to Portsmouth, whither the protesting Dutch admiral accompanied them in a somewhat undignified posture. The States-General immediately gave orders to their

[4] Wharton.
[5] Fish.
[6] *Ibid.*

minister in London to demand the restitution of the seized vessels and satisfaction for the insult to the Republic's flag. On the 2nd of February, the Dutch Admiralty issued an advisory decree that henceforth even naval supplies (in view of the fact that they were free under the treaty of 1674), should be furnished with the necessary convoys "to make them respected by British cruisers." Britain's last ally, with the inconsequential exception of Portugal, was preparing to join the Ocean Revolt.

IV

While the above events were taking place, in high spirits Dana wrote to Judge Parsons:

> Britain has not a single friend among all the powers of Europe. Her extravagant claim of the Empire of the Seas, and above all her consequent insolent behaviour on that element to all the other maritime powers has made them behold with complacency and secret joy for some time the reduction of her great naval strength. At length this temper of theirs had become manifest. The States General now insist upon the rights they unquestionably have by Special Treaty with England to carry the effects of her enemies, not being contraband, without interruption or in other words that free ships shall make free goods; and that they will not long acquiesce in a perfidious violation of treaties as the astonishing success of that nation [English] in the last war induced them to do.

Concerning the dilemma in which the Dutch provinces now found themselves after their hostile encounter with the British, he expressed himself as follows. To prepare his fellow countrymen for the new alliance with their old enemies, Dana now wrote:

> Our connections with Great Britain during the last war, lead us to view the Dutch as a perfidious Nation, when they

are only carrying on the Commerce of the French, then our Enemies, in perfect conformaty to their indubitable right, in virtue of Treaties, and to applaud the conduct of England in seizing & condemning french property, not contraband, when found in Dutch vessels, in manifest violation of their Treaties & National Faith. We not only wanted the proper information, but our judgments were perverted by national prejudices.

Adams' enthusiasm for the Hollanders led him to even greater lengths. Late in July, 1780 (perhaps not without a sense of the wholly untenable position that he had created for himself in Paris), he determined to quit the French capital for a more promising residence at The Hague. Franklin viewed his departure with relief, and was pleased to hear that his colleague seemed content to travel as a "private individual." The earlier policy of Congress had been to accredit "Ministers" to foreign courts without regard to the settled rules of diplomatic etiquette that required previous negotiation and consent. This system of "militia diplomacy" was unwelcome to Franklin for many reasons. He had consistently held "that a virgin state should preserve its virgin character and not go about suitering for alliances." [7] On Adams' departure, Franklin, for the first time since he had taken up his residence in France, was left free to enjoy the situation long since accorded him by the French Court—that of sole American Minister.

From Paris on July 31, 1780, Dana wrote to his friend at The Hague:

> . . . I hope you, master John, and *mon Fils,* (Charles Adams) have had a pleasant tour to Brussels, where I expect you will choose to reside some time. I shall hope for the pleasure of hearing from you, as often as will suit the convenience of one, who ought to consider himself travelling, in part at least, for relaxation from business, and in quest of better health.

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[7] Wharton.

Once removed from the temptation of matching his diplomatic skill with that of Franklin, both Adams' temper and his health improved. Turning his abundant talents to the task of cultivating the field of his new endeavors, he even enjoyed a certain popularity. None knew better than he the art of sowing tares, and we now find him employing all the means of what is now known as "propaganda" to win over the party of the Stadtholders—and their British sympathizers—to the justice of the American cause. As it appears from his correspondence with Dana, he relied for this purpose upon the translation of British documents showing the condition of affairs in the colonies. Dana wrote:

> . . . This moment has come to hand the translation of Govr. Pownal's pamphlets, and a letter from the translator to you. As I know not your particular intention concerning this translation, whether you wou'd wish to print it in Holland, or not, and having an opportunity to send it to you, without expence, commit them likewise to Mr. Appleton's care.

The letters written by Adams and Dana at this time to Congress and to private individuals were not without an important effect in fixing the policy adopted by a faction in the American legislature who desired to see a more independent stand in the conduct of foreign affairs. Their system of keeping Congress constantly aware of public matters in Europe, through dispatches and copious extracts from diplomatic documents and the European gazettes, contrasted favorably with Franklin's somewhat negligent and dilatory methods of dependence upon the French envoy in America.

V

From Amsterdam Adams wrote to President Samuel Huntington (September 16th): "Next to the Congress of America," he tactfully observed, "the attention of mankind is fixed on the Court at St. Petersburg." He expressed a wish that in order to penetrate the counsels of the sovereigns of Europe the United States might "establish a minister at each of the maritime courts at least." Read between the lines, the urgent need of a minister at The Hague was thus, also, implied. In the meanwhile with Dana's help he was multiplying his efforts "to throw into view such information," as lay in his power.[8]

On September 19th he received the welcome news that Congress had transferred to himself the powers and commission of the captive Henry Laurens—"prevented by unavoidable accidents" from negotiating a loan from the Dutch. These instructions had been brought to Paris by the Pennsylvania agent Searles, and were considered of such consequence by Dana that he brought them in person to Amsterdam:

> I am this moment arrived in Town, much fatigued, and as it is so late, you will excuse my not waiting on you this evening. You must not be surprised to find me here. I am not the messenger of any bad news from our Country. I have some dispatches from Congress, brot to Paris by Mr. Searle, one of its Members. These occasioned my coming here. They are not of consequence to be communicated *immediately*. Tomorrow will answer as well for this Purpose. I left Paris the 12th at noon, and overtook Mr. Austin at Brussels. We have travelled together from thence. He left Paris the night of the ninth. I hope you and the young gentleman are well. I left Mr. Thaxter so.[9]

Perhaps with a hint from Adams, Dana also wrote to the President of Congress in line with the policy recommended by his colleague concerning the appointment of

[8] *Ibid.*
[9] Adams Mss.

a Minister to the Dutch republic: "Mr. Laurens or any other person whom they may think proper . . . should be furnished with the powers of a Minister to the States General." He based his suggestion on consideration of an idea "industriously propagated by the emissaries of our enemies" that the new United States was in danger of becoming a French protectorate:

> . . . Some persons here, notwithstanding all that can be said, seem to be apprehensive that the United States have granted exclusive privileges in Commerce to France. This Idea is industriously propagated throout Europe, by the Emissaries of our Enemies, and especially in this Country. A disposition in Congress therefore to form an Alliance with the States General, upon principles of perfect reciprocity of Interest, altho they shou'd not at this instance be prepared to enter into it, wou'd unquestionably have a powerful influence in effectuating the main intention of Congress, and further, wou'd give a Consideration to our Councils throout Europe, which they will never acquire while they remain in their present circumscribed State.

Anticipating the dictum of a later time, Dana now believed that in a contest engaged with England on the Seas, neutrality was but a vain and meaningless term. France, however, was slow to encourage any new alliance between the revolted colonies and the other powers of Europe. Vergennes was even beginning to distrust the militant power of the Armed Neutrality. He described Catherine's policy as "confused," and pointed out that, while determined to make Holland conform to her new code of law at sea, she did but little to help the Dutch or the Bourbon alliance. It was, as he wrote to Montmorin in Spain, "a disgusting state of affairs."

Dana was also disgusted, but for different reasons. Like Adams he now began to believe that Congress was fascinated into inaction by Franklin's eloquent dispatches. To Lovell he wrote (August 23, 1780):

> . . . Does there exist even a Ghost of the Committee of Foreign Affairs? We are my friend, in a most pitiable state of ignorance respecting the State of our Country. For Gods sake, form a Committee, or conjure up the Ghōst of one, at least; 'tis cruel to send us here, to suffer the mortification of seeing our Country traduced and vilified throout Europe, by our Enemies, without having it in our power, to refute their falsehoods, and vindicate its Conduct. These calumnies have their effect, if once suffered to make an impression.

To add point to his arguments he frankly revealed the disquieting rumors which were current in the European chancellories, where the new factor of republican diplomacy was still looked at askance:

> . . . I hear many curious doctrines & prophecies among the Politicians. One set says, America will quit France. Another that France and Spain will desert America, a third, that Spain will abandon France and America. A fourth, that America has the Interest of almost all Europe against her, a fifth, that America will become the great manufacturing Country, and thus distress Europe, a sixth, that America will become a military and naval power that will be terrible to Europe. To such profound Politicians, I would say, America will be that great and respectable Power, for which Heaven has fitted her, in spight of all who fear, or hate her.

Dana was correct in his surmise, that Congress at this time had almost abdicated the control of foreign affairs. Lovell, in turn, had written to Franklin (October 28th) "there is no member of the Committee of Foreign Affairs attending Congress but myself nor have the Committee had a clerk since the resignation of Mr. Paine."

The letters of Adams and Dana, urging a more active foreign policy, arrived at an opportune time to strengthen the faction led by their friends, who were disposed to take a more positive stand and even to adopt a policy independent of the line marked out by Versailles. On December 19th, Congress in pursuance of a resolve that "friendly intercourse between the subjects of her majesty the Empress of Russia and these United States may be for the mutual advantage of both nations," elected "the Hon. Francis Dana minister to reside at the Court of the Empress." On January 3rd similar action was taken to accredit John Adams to the court of the Dutch Stadtholder, the Prince of Orange.

VI

It was fortunate that Commissioner Adams was spared the knowledge that Dana had been raised by Congress to the rank of a Minister to Russia almost three weeks before he attained, himself, the coveted promotion. He seems, however, to have been entirely satisfied with the course of his negotiations which several fortuitous incidents did much to forward at the Dutch capital.

In October, 1780, news reached The Hague that Admiral Rodney had attacked and captured seven American ships in the Dutch harbor of St. Martin, and "had energetically pursued their crews into the interior of the colony." This violation of Dutch territory decided the States-General (the 19th of October) to authorize their representatives to accede to the Tsarina's convention of the Armed Neutrality. This was a challenge to the Anglican party almost tantamount to a declaration of war.[10] On the 6th of November the Dutch navy was ordered to sea for the protection of commerce, and as La Vauguyon, the French Minister, announced to Vergennes, "We now see the States-General adopting our plan of Armed Neutrality which I have no doubt will be in accord with that of Russia."[11] Hostilities were not yet, however, formally declared.

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[10] Fauchille.

War with Holland, without involving or offending the new league of neutrals, now became the aim of British diplomacy. The Dutch hesitated too long. A fresh *casus belli* arose which enabled the English to declare hostilities on other grounds than those of the disputed privileges of neutral trade. This rupture was based on the papers discovered at the time of the capture of Henry Laurens. Dana, in a long communication to Jonathan Jackson (November 11, 1780) describes this situation in detail:

> You must before this time have heard of the Capture of the late President Laurens, on his voyage hither. That the Enemy effect to consider him a State Prisoner, and have accordingly confined him to the Tower, in *areta* & salva Custodia. This treatment of him hath marked the Barbarity of the Nation from the Throne to the Footstool. Does this look like Peace? They recovered a part of the papers, such as the plan of a Treaty adjusted by Mr. Wm. Lee, with the Regency of this City, in 1778, a letter from Mr. De Neufville upon the subject, one from our Friend the Commodore, one from Mr. Stockton and one from an amiable Character of this Country whom I personally know, Baron Van de Capellen. These were hurried over to Sr. Jo. York, and by him delivered to the Prince, who, 'tis said, in much wrath, laid them before the States of Holland, who transmitted Copies of them to the Regency, accompanied with some Resolutions. The Regency have openly avowed the Act. This has brot on the most extraordinary Memorial of Sr. Jo. York to the States General, which perhaps any foreign Minister ever made to an Independent State, calling for the open disavowal of the Conduct of the Regency, censuring them as a mad Cabal ever ready to sacrifice the publick Interests to private views, aiding the natural Enemy (France) of both Countries in distroying their mutual Happiness. And demands of the States General also an exemplary punishment of the Pensionary Van Berkel, by

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[11] *Ibid.*

name, and of all his *accomplices,* as disturbers of the public peace, and violators of the Laws of Nations.

That Dana, however, was aware of the real reasons underlying the "extraordinary" conduct of the British Minister is shown by the following:

> The States General will meet the 22nd inst. 'Tis not probable they can or will comply with the several Requisitions of this Memorial. You may ask me, as in another case, what can Great Britain promise herself from all this. Whether or not she expected to be able to effect a compliance with her demands, which does not seem probable, by the weight of her Influence in this Republic . . . or whether this Memorial was to serve as a ballance to that of the States General, respecting the outragious violation of her Territorial Rights by Admiral Rodney, at St. Martin's . . . or whether she forsees that the States General will acceed to the armed Neutrality, and is therefore determined to go to war with them, upon other pretences, so as to avoid for a time at least, warring against the whole Confederacy; whether any of these things were the motive of this singular Conduct, is to me uncertain. . . . If She seriously intends to put her threat against this Country into execution, I shou'd conjecture the last is the prevailing motive.

In spite of the affronts and provocation of the British envoy, the peace-loving Burghers were slow to break the ties upon which their prosperity had so long depended. Catherine's fickle diplomacy had offered nothing but "guarantees" of the most general character. Yet, as Dana wrote concerning the Provinces:

> . . . Already Holland, and three other of the States have declared for an unconditional accession to the Neutral Confederacy. Two more have declared for an accession, but alledge that their Territories in both the Indies shou'd be guarantied; this however I understand, is not absolutely made a Condition, and that their Deputies are at Liberty to acceed without such guaranty, if they think fit. The seventh is the Province of Zeeland, where the Influence of

the Prince is without Control, from thence therefore nothing short of an open opposition to the Neutral System is expected. Whether the other Six States are prepared and determined to acceed without Zeeland, a short time will show.

Vergennes was not wholly content with this development. There were advantages in allowing Holland to remain neutral. But this *finesse* of his diplomacy escaped the prescience of both Adams and Dana. They overlooked the fact that, while the Dutch trading fleet could still play a part useful to France and the colonies, a long naval peace had sapped their sea power. Dana wrote:

> The Navy of these States is too feeble at present for an immediate War with England, which they seem to apprehend must take place upon their joining the Neutral Confederation. They have, I believe, but about 26 vessels, instead of the 52 voted, ready for Sea. It is apprehended their naval preparations have been designedly kept back, in order to keep up the Fears of the States about a War with Britain. There is no question but the Prince is fixed against it, and whatever Ideas some of our Countrymen may have maintained of the Liberties of this People, they are as effectually enslaved by their Magistracy, as are any People in this old World, by the mighty Kings which hold almost all the rest of it in bondage. Nay the influence of the prince seems to pervade almost every department of their Government, and the whole machine is much obstructed when set in motion, in a direction repugnant to this inclinations, and views. May Heaven preserve us from Kings, Princes, and Stadtholders. The People are the best Guardians of their own Liberties and Interests.

But these fine democratic sentiments could not hide the fact that a doting dependence on Great Britain to police and maintain the "Law of the Seas" had placed the Dutch in a position where sudden dependence on their own powers of defense invited a catastrophe. On November 10, 1780, Yorke, the British Minister, presented a memorial in the form of an ultimatum to the distracted States-General which Adams reported was "so like the language of Lord Hillsborough and Governor Bernard. . . . I could scarcely forbear substituting Boston for Amsterdam."[12] On December 16th the terrible Sir Joseph asked for his passports and quitted Holland.

Although the terrified Dutch now hastened formally to adhere to Catherine's neutral league (on the 19th of the same month), Yorke's well-calculated ferocity had enabled him to bring about the long-sought rupture without necessarily involving the Northern powers in the quarrel. The latter, profiting in turn by the withdrawal of Holland's merchant fleet from the neutral carrying trade, regarded with cynical indifference the plight of their reluctant ally. Dana wrote to Jackson:

> I have now the satisfaction to assure you, that the States General have resolved to acceed to the Confederation of the armed Neutrality, purely and simply, without any Stipulation of guaranty, by a majority of the Five Provinces of Holland, Utrecht, Friseland, Overyssel, and Gravingen, against those of Guelderland and Zeeland, which have continued to insist upon the guaranty of the Possessions of the Republick. 'Tis probable this Resolution will be followed by a Declaration to the belligerent Powers. Thus the Interest of Gt. Britain, and the Influence of the Prince, have, in this instance, met with a complete overthrow in the Republick.

[12] Wharton.

CHAPTER IX

AMERICA AND THE NEUTRAL LEAGUE

I

CATHERINE THE GREAT'S republican guest was still unaware of his appointment. Dana now returned to Paris where, in his colleague's opinion, his presence "might be attended with some benefit." It was characteristic of Adams' complacency that in the rupture of the Anglo-Dutch Alliance (which Sir Joseph Yorke had secured in a form practically excluding the latter from the benefits of the League) he saw a new triumph of his own policies. In their acceptance of the principles of the Armed Neutrality—to which the Dutch States-General acceded on January 15, 1781—he observed "one of the most brilliant events that has yet been produced by the American revolution."[1] There were, however, evident advantages to be drawn from the situation. Not the least of these in the eyes of the American Commissioners was the prospect of a new alliance that would relieve them from dependence on France. At The Hague Adams was already assuming the airs of an Envoy. In anticipation of this appointment (as he wrote with a shade of malice to Franklin), he appeared "at the Prince's review upon the parade . . . where I propose to spend in future more of my time." His great object was still to draw the reluctant Dutch into "a connection with France and America." Above all other ends he sought to prevent the acceptance of a Russian mediation that might inconveniently settle the difference at the States-General with Great Britain. The

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[1] Wharton.

Tsarina's desire to play a peaceful part in the struggle involving Great Britain and her colonies was offering a new complication.

On March 8th he took the important step of communicating the resolutions of Congress favorable to the Armed Neutrality to Prince Galitzin, the Russian Minister at The Hague. While he failed to induce the French Ambassador, the Duc de Vauguyon, to join him in these representations, he met with no opposition from Vergennes or Franklin—which led him to the rather optimistic assumption that his "system of operations was that settled at Philadelphia between the King . . . and Congress." [2] He was disappointed that the Russians were more inclined to use the prestige and naval power of the Armed Neutrality as a force for peace rather than to join in violently checking Great Britain's "sea tyranny." The spirit of the Burghers of Amsterdam was, moreover, depressingly unwarlike. As he wrote to Dana March 12th, "They are furious for peace. Multitudes are for peace with England at any rate, even at the expence and risk of joining them in the war." [3]

From Paris whither he had arrived from The Hague on January 1, 1781, Dana wrote an important letter (of advice concerning Adams' negotiations to secure recognition):

> I will no longer omit to acquaint you of my safe arrival here; I shou'd have done it before, but I wished first to obtain the sight of the British declaration against the Dutch, which I cou'd not effect, till the last evening. Will the Dutch remain firm, and in good ernest set about the equipment of their Navy? If they will, we may hope something from their exertions. Let me have your sentiments upon this important event, so far, at least, as it may anyway affect our particular business. It appears to me to have thrown open the door wide; and let us enter without hesitation.

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[2] *Ibid.*

[3] *Ibid.*

Concerning the negotiation for the all-important Dutch alliance with the United States which Adams so ardently desired he wrote that he

> . . . wou'd, if in your case, undertake it provisionally. All circumstances considered, I am persuaded, such a step wou'd meet with the approbation of those, whom it immediately concerns. It is sometimes necessary to step over a prescribed line; and when this is done, with a sincere intention to promote the general interest of one's Country, by seizing upon an *unexpected* event, the man who will not suffer it to pass away unimproved, is entitled to much merit. He hazards something, but with the purest views. I have presumed to offer to your consideration, these hints, not doubting but you will take 'em in good part: besides, I sincerely wish the honor of effecting both these matters, may be yours: and it really appears to me vain to expect one, without being willing to do the other. Wou'd they hesitate upon this provisional ground? Is it not easy to give them assurances that it is safe and firm? But I have said perhaps more than eno' upon this subject. I shall hope for your sentiments in return.[4]

A concluding paragraph hints at the dissatisfaction that many American patriots were beginning to feel at the half-hearted measures of policy that seemed to paralyze the actions of the French Navy. It also reveals the growing conviction among many of Dana's friends in Congress that if Vergennes continued to control Franklin's actions, the American revolution would sink to the level of an incident in the wider struggle between the Bourbon powers and Great Britain.

> No news yet of Comte D'Estaing, De Guichen, & Convoy. The Winds have been favourable several Days, & 'tis probably they are at this time in Brest. I cannot yet learn what assistance America may hope for in the approaching campaign. I pray God she may not be again flattered by any false hopes. Let our Allies give essential Aid, or withdraw all they have sent: When our Country will see they must work out their own political Salvation. I wish to write you much more largely, but I have several Letters, besides this,

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[4] Adams Mss.

to copy into my book, and have not time. Your's to the Dr. I delivered to him yesterday, he read it, but said nothing. Its contents I know nothing of.[5]

II

Would the Tsarina's policy result in an enforcement of neutral duties upon Great Britain, or merely in an undesired mediation? From Paris Dana continued to speculate in his letters to Adams concerning these matters, meanwhile urging upon Congress the advantages of some decisive action. To the Committee on Foreign Affairs he wrote (February 16th):

> Congress, it appears from their printed Journals, have taken into Consideration the Declaration of the Empress of all the Russias, relative to the Commercial Rights of Neutral Nations, and have thereupon passed several Resolutions, and ordered that Copies of them shou'd be transmitted to their Ministers, yet no such Copies have yet been received. Altho, there does not appear, at present, any pressing occasion for them, nevertheless it is possible, tho, I can't say, I think probable, that one may offer; in which case, there wou'd be a total deficiency of the necessary Powers. Mr. Adams in his last letter of the 8th inst. has desired me to consult with Dr. Franklin upon this business, which I shall soon do.

In some trepidation he informed Adams that "letters from England mention a suspension of the condemnation of the Dutch ships," and that the negotiation seems "full of the Mediatrix influence." Another letter to Adams, partly in cipher, seems to indicate that he was considering a return to Spain, where Jay was attempting to obtain recognition and if possible monetary assistance for the Revolution. Dana believed this task might be forwarded by better knowledge of the "situation" that existed in Paris. If Spain and Holland should both recognize the independence of the colonies, the French

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[5] *Ibid.*

Alliance would assume more normal proportions. To Adams Dana wrote:

> I have been seriously reflecting upon the general State of our Affairs, and having settled it in my own mind, that it is highly probably I shall remain an idle Man, long enough to allow of a visit to (Jay) and to converse freely with him upon some things touching the commands he was pleased to honor us with, as also upon some other matters, which might be productive of some good. . . . I have my doubts upon the expediency of the measure; but if, upon full consideration, you approve of it, I wou'd, notwithstanding I so much abominate remounting Mules, & passing over the frightful precipices, set off on my journey resigned to my Fate. I wou'd perform it as quick as possible, and give in person an account of my transactions to you, on my return. In order to go with expedition, I wou'd apply to (Vergennes) for a berth in one of his light carriages as far as it is possible to travel with them. He has one frequently passing towards the Seat of (the King of Spain) and I have no reason to think he wou'd not readily oblige me in this respect. After quitting that I cou'd take a Mule and trip it over the Mountains as before. Having once passed in safety those of Galice, I shall not be much concerned about those which lie in my route. I lay this Idea before you with much diffidence and submit it to your friendly & better consideration. You will do me the justice to believe that I have no private views in this matter; my feelings, in the course of it, must undergo a very severe trial; and yet I wou'd once more sustain it, if any benefit cou'd be obtained by it. My reflections are uncomfortable, when I look over the Map.[6]

Dana's anxiety to find useful employment was due to an unaccountable delay in the reception of his official instructions regarding his Russian mission. As he wrote to his friend and classmate, Elbridge Gerry, on March 15th:

> You were mistaken when you supposed I shou'd be advertised properly of the honourable appointment you speak

[6] *Ibid.*

> of, before your letter reached me. I have not at this moment, received any other Intelligence of it, than what came a few days since, thro you, in a letter from Mrs. D——, tho we have Gentlemen in this City who left Philadelphia so late as the 22nd of Decr. three days after the date of our friend Lovell's letter to you which, you say, informed you of it.

He added a paragraph concerning his proposed sojourn at Catherine's Court which reveals that Dana was no ardent seeker after diplomatic honors:

> . . . I value it, because it is a new proof that I am honoured with the Confidence of Congress, but I feel that it is too weighty for my feeble abilities to support. I can promise my Country nothing more than sincere & direct Intentions, by every possible means in my Power; to promote its best Interests. If I was in America, where my Country cou'd suffer no mischief from delay, I shou'd not hesitate a moment to decline this honourable proffer of Congress.

Dana appears to have suspected that Laurens, the new secretary of the American Legation, was withholding the communication of his appointment in collusion with Franklin—out of deference to the wishes of Vergennes. This is probably the "difficulty" referred to in the following paragraph of a letter written to Adams at The Hague (March 16th):

> . . . I have additional reasons for returning to America, but with the view of remaining there, in the Character of a private Citizen. If Col. Laurens does not clear up some difficulties in my Mind, I think my own honour will require it, sure I am that my Interest will. I have not yet seen him. He arrived at Passy yesterday noon, and set off with the Dr. early this morning for Versailles. I am very sorry I had not an opportunity to talk with him before he went there, but so it happened.

In the state of indecision in which he found himself, the following friendly letter from Adams was received dated Leyden, March 22, 1781:

> . . . I have received several letters from you, but have been so busy signing my Name, that I could not answer. I give you joy of Lauren's Arrival—it is a great Event. I hope he brought you an important Paper, which Lovell mentions in his Letter to you, and Gerry in an excellent one to me. I rejoice Sir in your Honour, and the public Good, but I feel myself weakened and grieved at the present loss of a Treasure of Advice and Ability. I hope to see you here in your Route. Pray commit to writing all your Observations on our first Errand and give them to me. I hope your old Commission is not superseded. In Case of Negotiation, of which however there is no likelihood for Years, I shall summon You. Mr. Laurens must have Letters and important Papers for me. I hope to have them soon. There is no one knows the banking but M. De Neufville and me—it is not more however than Precedents—but let them lye about it if they will. I am not afraid of their Lyes. (Yorke) is gone and the Dutch are yet dead—when they will come to life I know not.

While Franklin and Laurens conferred with Vergennes at Versailles, Dana awaited—not without indignation—the result of their councils. The French Envoy at the Russian Court had heretofore acted as the American representative in all diplomatic matters. This was an arrangement that the French Minister was not loath to continue.[7] It was not until March 24th, after nearly a week's delay, that Dana received from Colonel Laurens the long expected notice from Congress of his appointment as Minister to the Court of the Empress Catherine. On the same day he wrote to the President of that body: "I have communicated my instructions and commission and everything respecting it to Dr. Franklin, and have asked his opinion whether it was expedient to make a communication of the general object of my commission to the administration here. He said he thought it was." [8]

[7] Renaut.

[8] Wharton.

Following Franklin's recommendation Dana consulted Vergennes regarding the propriety of notifying the Russian Court in advance of the aims of his intended mission. The French Minister was delighted to advise. He thought that to raise this delicate question would only "create obstacles." He reasoned, probably in the light of the proposed mediation, that: "if they (the Russian Court) should approve of the journey it might involve them in consequences they are not prepared to meet." Britain, he urged, would consider such an act "absolutely decisive" on the part of Catherine. While Vergennes did not actually oppose Dana's Russian mission, he did not fail to refer to its difficulties nor hide his preference for the existing arrangement. But as Dana informed Congress, "there is no difficulty in going in the character of a private citizen" and he felt that "once entered the ground is changed." [9]

But another factor of a highly practical nature now intervened to defer Dana's departure—the failure of Congress to provide for expenses. Yet so convinced was he of the patriotic importance and "propriety of such an appointment" that, as he wrote to the President, it was his "present determination, throwing aside all pecuniary considerations, to accept this honourable trust." [10] On March 28th Dana informed Congress that he had "agreed with Doctor Franklin" and "that the voyage is already settled." He added, "I shall leave Paris Sunday next, and proceed for Holland, where I shall consult Mr. Adams." [11]

III

The instructions issued by Congress to guide Dana in his negotiations were in many ways unsatisfactory. Written in dignified and appropriate language they revealed a curious lack of any real appreciation of the diplomatic situation. They chiefly erred in assuming that the United States—a belligerent power—should be admitted to the benefits of a League of Neutrals. This anomaly, which presented no difficulties to the diplomats of the Committee of Foreign Affairs, was immediately apparent to Dana. This embarrassing paragraph read as follows:

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[9] *Ibid.*
[10] *Ibid.*
[11] *Ibid.*

> You will readily (sic) perceive that it must be a leading and capital point if these United States shall be formally admitted as a party to the convention of the neutral maritime powers for maintaining the freedom of commerce. This regulation in which the Empress is so deeply interested and from which she has derived so much glory will open the way for your favorable reception; which we have the greater reason to expect as she has publickly invited the belligerent powers to accede thereto; and you will however depend on a variety of sources and contingencies—on a more perfect knowledge of the state of Europe than can be obtained at this distance—on the ultimate views of her Imperial Majesty, the temper of her cabinet: the avenues to their confidence: the dispositions of the neutral powers with whom She is connected; and the events of the war.

In short, Congress had undertaken to construe the terms of the League in accordance with their own desires and necessities. Holland had been allowed to adhere to the Armed Neutrality only because she was not yet a belligerent power, while France and Spain were but required to approve its principles. To Dana was left the task of reconciling these inconsistencies. His instructions, moreover, inexorably pointed out a line of conduct, which, given the existing military situation, could hardly fail to impress the Empress with a sense of the responsibilities that recognition of the United States would incur:

> You are to impress her Imperial Majesty and her Ministers with a sense of the justice of our cause, the nature

> and stability of our union, and the solemn engagements by which not only the States but his most Christian Majesty are reciprocally bound to maintain the Sovereignty rights and jurisdiction of each of the thirteen States inviolably; and the utter impracticability of our acceding to any treaty of peace with Great Britain on the principles of *Uti possedetis;* or on any other terms than such as shall imply an Express or tacit acknowledgment of the Sovereignty of each in every part; and which shall be consistent with the letter & Spirit of our treaty of Alliance & friendship and Commerce with his most Christian Majesty. . . .

Finally, ignoring Catherine's real desires concerning her "Armed Neutrality," Dana was instructed to:

> . . . assure her Imperial Majesty and her Ministers of the Sincere disposition of these United States to enter into a treaty of friendship and commerce on terms of the most perfect equality reciprocity & mutual advantage and similar to those expressed in our treaty with his most Christian Majesty; and you are authorised to communicate with her Imperial Majesty's Ministers on the form & terms of such treaty and transmit the same to Congress for their ratification.

The lawyers of the Committee of Foreign Affairs, in drawing up the bond to be imposed upon the Great Empress, only neglected to furnish their Agent with a few valid reasons to "impress" her with the possible advantages of such a connection! Yet the Tsarina, whose fame as a "liberal" was so strangely misconstrued by Congress, was soon to become a very real factor in American affairs.

IV

Holland's disposition to join the Armed Neutrality as a belligerent had removed one of Vergennes' earlier objections to recognition by the Stadtholder of the United States. But a new obstacle to this course now arose—even more disquieting in its effects. On March 12th Franklin informed Congress that a few days before Vergennes had confided to him the news "that the courts of Petersburg and Vienna had offered their mediation; that the King had answered that it would to him personally be agreeable, but that he could not yet accept it because he had allies." In spite of this loyal adherence to the Pact of 1778, the diplomatic aims of Adams and Dana were again placed in opposition to that of the Francophile Franklin. Following their conviction that the new American state was already a factor in the European Balance, the former still dreamed of alliances independent of France. Franklin chose to place all his reliance upon Vergennes. The French Chancellor's approval of a general mediation was based on an intimate appreciation of the Tsarina's enthusiasm for playing a great international rôle. With true understanding of Catherine's psychology, he sought by every means to persuade the not unwilling Empress of the glories that might irradiate her name should she assume the rôle of Mediatrix, in a world at war.

Her scheme for a general settlement was the result of the visit of the Holy Roman Emperor, Joseph II, to Russia in 1781. Catherine had received the son of her old rival, the Empress Maria Theresa, at Mohilev in strict incognito. The outcome of this diplomatic flirtation—a high comedy wherein foreign policies seemed but a secondary affair—was to lead to results of a far-reaching nature. Joseph's desire to lay aside his exalted rank had been seized upon by the Tsarina as an excuse for treating him as a man—and a very personable one. Count Panine, her Foreign Minister, suffered an eclipse. The King of the Romans was lodged in a palace, disguised as an inn by affixing a signboard to the entrance. Not without trepidation Joseph found he must deal with the fascinating Catherine alone. She charged herself with every detail of the ensuing negotiations and the outcome offers a curious example of her highly personal diplomacy.

The significance of the bond that henceforth united the Tsarina with the Emperor seems to have escaped both the attention of Congress and Dana's powers of analysis. This alliance was based upon a merging of the secular ambitions of two great powers. Each had long pursued, sometimes as enemies, sometimes in concert, the same dazzling imperial plan. Joseph was the inheritor of the pretensions of the House of Hapsburg to exercise a tacitly admitted primacy in the formal councils of Europe. The Holy Roman Empire, while little more than a hereditary honor of the Austrian Archdukes, was still a recognized part of the European system. Diplomatic precedence was invariably accorded to its Envoys who presided in the deliberations of every great European Congress. This medieval survival of the old aspiration towards European unity had survived rather as a mystical theory than a political reality. Yet Joseph's claims ascending to a remote tradition of the overlordship of Rome made him the logical mediator in matters of general European interest.

The Russian claims to an "imperial" title, while even more indefinite, were hardly less grandiose. Since the days of Ivan the Terrible, who first placed the double-headed eagle of the Byzantine Emperors of the East upon the escutcheon of Muscovy, the ambition of every succeeding Tsar had looked towards Constantinople. The presence of the infidel Turk who ruled in the palace of the Orthodox Rulers of the East was a constant challenge to Russian policies. To her grandson Catherine had given the name of Constantine—a pledge to glorious fortune. Her plans to revive the glories of the Byzantine Empire could be advanced and dignified, if in concert with the Holy Roman Emperor she might assume the rôle of Mediatrix among the warring powers of Europe. Russia's isolation was to end in a bid for a share in the primacy of Europe. That her motives—complicated by historical interests, and the lure of old pagentries—were better understood by Vergennes than by the envoys of the new republic across the Atlantic is no matter for surprise. Where the French minister divined a feminine sympathy for ceremonial, Adams and Dana feared a political intervention—and a move possibly favorable to Great Britain. The quasi-sentimental negotiations between Catherine and Joseph II were, however, very little concerned with the new republic.

V

Following the departure of the "eagle-eyed" Joseph, Catherine's interest and enthusiasm for a European rôle was soon to diminish. But Vergennes had chosen the favorable moment. After Mohilev Catherine was willing to assume the task of a general mediation (a disposition she had already displayed by the offer of a partial mediation in the case of Great Britain and Holland). The wise French Chancellor's views had long since been outlined in a dispatch to Montmorin, the French Minister in Spain (November, 1780) : "The interest of this princess would please us the more because we believe her and her ministers to be well disposed to us, and because we believe American independence would be stipulated." [12] He knew that if Great Britain should refuse to abide by Catherine's judgment it would then be possible—and then only—to turn the League of Neutrals into a combination actively hostile to English pretensions. Meanwhile the Tsarina's determined vanity must be played upon.

In December, three months before Dana's departure,

Fauchille.

a formal proposal was made by Catherine to the three belligerent courts. Her part as Mediatrix was promptly accepted by Spain and France. The British refusal was probably motivated by the reference made to possible "American delegates" who might attend the peace congress of the Great Powers. To sit side by side with the delegates of their revolted colonies was an offense to English pride. The complicated situation that now faced Dana arose from the necessity of adjusting the very precise terms of his instructions to Catherine's policy of splendid impartiality.

It is curious to note that the diplomatic policy of the French Minister of Foreign Affairs anticipated the combinations of a later day. In his view it was the Armed Neutrality that had suggested an enlarged plan of concerted action. A general mediation appealed to Vergennes as offering a method for imposing peace along lines which suggest the great European covenants of our own time. "To my way of thinking," he had written to Montmorin in Spain on September 28, 1780, "a prompt and proper manner of obtaining peace would be to combine the association of neutrals with the power of Russia, and to concert a plan of pacification which this association would propose, not as a mediation, but as an arbitration. The association should also be prepared to declare itself against either of the belligerent parties which would refuse." [13]

It is not without significance that even at this earlier stage of American foreign relations such broad plans of international statesmanship failed in their appeal to the immediate interests of the revolted British colonies. Like Adams and Dana an important group in the Continental Congress not only distrusted the mediation, but also hoped to turn the military power of the League to other than diplomatic purposes. These views were to have a notable effect on the success of Dana's mission to the Court of the Empress of Russia, and foreshadowed the strong "isolationist" tendency of a continental America, —a policy which reached its climax in the Monroe message directed against the league of the "Holy Alliance" formed by Catherine's grandson.

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[13] *Ibid.*

VI

If Dana's new mission (and the appointment of Adams as Minister to Holland which soon followed) was not approved in Paris—this attitude was largely based on questions of etiquette. In the eyes of Franklin and Vergennes it was a revival of the system of "militia diplomacy" that had sent the Lees and Izard on their fruitless quest across Europe. The supporters of the French alliance in Congress held that such unsolicited representation was likely to hamper the French King's negotiations. The Francophiles were opposed by a faction, chiefly drawn from the New England delegations, who believed that to surrender further questions of foreign policy into the hands of the French Cabinet was a dangerous abdication on the part of a newly sovereign state. Congress now became the scene of important debates in which these matters were discussed with some acrimony. They form an important background to the development of an "American" attitude towards European affairs.

While Vergennes did not openly oppose Dana's plans for proceeding uninvited to Russia, he nevertheless instructed the King's envoy in America, Luzerne, to lay before Congress his own views concerning the Armed Neutrality and the proposed mediation of the Tsarina. This resulted in the appointment of a "Committee of Conference" which reported concerning the whole matter on May 28th. As Luzerne informed the conferees, the French Royal Council, on hearing of the appointment of Dana (March 9th), had expressed the opinion that it was "premature" and might render the proposed mediation of the Tsarina more complicated. Dana, it was suggested, could not be received as a diplomatic representative without exposing Catherine "to the suspicion of partiality towards America." Luzerne also took occasion to suggest that Congress should "draw a line of conduct" to govern Adams' negotiations with Great Britain, even desiring that he should be instructed "to receive his direction from the Count de Vergennes." This revived the opposition of members who had deplored the instructions already issued to Jay. These directed him to conduct his negotiations with Spain "by the advice of our allies" and had even implied he might abandon the right of navigation on the Mississippi in order to satisfy the Bourbon powers. There were members of Congress who not unnaturally viewed the new demands of Vergennes with "surprise and mortification." [14]

The sessions covering the first two weeks of June, 1781, were given over to a long debate on foreign affairs—news of which only arrived in Europe after Dana's departure. Adams was relieved from his sole commission to negotiate peace with Great Britain, and Congress associated with him a Board of Commissioners consisting of Laurens, Franklin, and Jefferson (the latter's place being taken by Jay in the final negotiations). At the same time the mediation of "the Emperor (sic) of Russia and the Emperor of Germany" was accepted, under conditions that would secure "the independence and sovereignty of the thirteen states." [15] Luzerne, having obtained the main objects sought for by his instructions, appears to have acquiesced in the appointment of Dana,

[14] Jay.

[15] Wharton.

or at least to have refrained from further representations in his regard.

Meanwhile from Leyden (April 18, 1781) Adams wrote privately to Dana not only to encourage him to depart for Russia with all dispatch but also to warn him of the machinations of Franklin and Vergennes:

> . . . I think then it is necessary for you to prepare for a Journey to Petersbourg without Loss of Time, that you travel in the Character of a Gentleman, without any distinction public or private, as far as the Publication of your appointment already made in Paris will admit. . . . I should think it altogether improper to communicate your Design to the Prince de Gallitzin of travelling to Petersbourg as a private Gentleman, Secreting from him at the same time your publick Character,—it would expose you to Something very disagreeable. The Prince would ask you, why you asked his Advice? when it is well known that private Gentlemen travel, without Molestation in every Country of Europe. . . . Besides the Ambassador, I have reasons to believe, would not, give you any Advice, without Instructions from his Court, and this would require so much Time, that this most favorable opportunity, which . . . presents itself would be lost . . . and after applying for Instructions from Petersbourg, it would be less respectful to go, than to go now, when the Circumstances of the Times are very favorable. . . . After your Arrival at Petersbourg, I should advise you, unless upon the Spot you discover reasons against it, inbeknown to us, at present, to communicate your Character and Commission to Count Panin, or the Minister of Foreign Affairs in Confidence, asking his Advice but at the same Time presenting him a Memorial ready prepared for the Empress—if he informs you, that it is best for you to reside there as a private Gentleman, or to travel for a Time in Sweden or Denmark, or to return here to Holland, where I shall be happy to have your Company and Advice, take his Advice. The United States of America have nothing dishonorable to propose to any Court or Country. . . . I conceive it to be the intention of Congress that you should communicate their Resolutions relative to the Rights of Neutral Vessels, and I am more entirely of the opinion, be-

> cause I have already communicated those Resolutions to their High Mightinesses the States General and to their Excellencies the Ministers of Russia, Denmark and Sweden, at the Hague, in pursuance of the Letters I had received from the President, and I should now think it improper in me, to sign a Treaty relating to those Resolutions if invited thereto, because it would be interfering with your departure.

This long and sensible letter closed with a veritable manifesto setting forth Adams' views:

> America, my dear Sir, has been too long silent in Europe. Her cause is that of all Nations and all Men; and it needs nothing but to be explained to be approved. At least these are my sentiments . . . I have Reasons in my Mind, which were unknown to their Excellencies the Comte de Vergennes, and Mr. Franklin when you consulted them; Reasons which it is improper for me to explain at present. But the reasons I have given appear to me conclusive.

VII

A letter which Dana now wrote to Arthur Lee (May 17th) from Amsterdam where in his dilemma he went to consult with Adams, shows his distrust of the sincerity of Franklin's assurances:

> . . . I am happy that it was made my Duty to come here, and to consult before my final departure, "him who negotiates the peace." Between us, there is a real friendship, and a most perfect Confidence, from which I derive much satisfaction, and I think it cannot but be attended with a happy influence upon our respective Negotiations. They are certainly intimately connected together, and ought therefore to be conducted upon a thorough good understanding of each others Systems. . . . I mean our *present* Negotiations. As to the former business of Peace, which is still at a distance, I know not into whose hands that may fall, but I hope the *principal* may not be changed. I *know* that there are attempts making on this side of the Atlantick, to shift it into the hands of *another*. You are too well acquainted with Men

> and Things here, to be in much doubt about place and persons. I thank you for your wished for the success of my particular business.[16]

It was his conviction that a fair presentation of the American case by an envoy of Congress at the Russian Court might strengthen Catherine's resolution to advance the cause of freedom both upon the seas and in the colonies. But his not unfounded suspicion that Franklin, influenced by Vergennes, was secretly opposing this course led him to doubt in advance of the success of his mission:

> I feel that I have undertaken a Task too great for my Abilities. However, I must attempt the execution of it, or it must be left wholly unattempted, for a length of time, when, perhaps, much greater abilities might fail of success, thro a change of circumstances. I have some reason to think that Court favourably disposed towards us, at present tho upon this point I shall be better able to form a judgment, when I am upon the ground. It is my present sentiment that the Maritime Powers want nothing but good information, to convince them that it is for their substantial Interest, to form the most intimate Connections with our Country, and that speedily.[17]

Dana's stay in Holland and his interview with Adams but renewed his desire to depart immediately for his new post. Adams, too, was uneasy about the relations between the Tsarina and the Dutch. Catherine was now anxious that Holland should hasten to "return into the ranks of the neutral powers," and even hinted at the advantages that their accession as non-belligerents to her famous league might obtain for them in any more general negotiation. As Dana was aware, even the success of the "partial negotiation" to reconcile the Dutch with Great Britain was still possible. The British Ministry favored this method to that of a general European Congress, where under the auspices of the Tsarina and the Emperor, they risked enduring the participation of the United States. "I confess," Adams wrote to Congress, "I should dread a negotiation for a general peace at this time, because I should expect propositions for short truces, *uti possedetis* and other conditions." There was now ominous talk of uniting the Armed Neutrality to the broader policy of mediation by including the Kings of Denmark and Sweden among the mediators. The League began to wear a different aspect and to assume less commercial aims. Under circumstances "so reserved and mysterious" Adams felt that "Americans must wean themselves from the hope of any signal assistance from Europe." [18] In his distrust of the methods of European diplomacy he felt that the presence of an agent or observer at St. Petersburg was but the more necessary and important. To secure his friend's early departure he was even willing to make an extraordinary sacrifice.

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[16] Adams Papers.
[17] *Ibid.*

[18] Wharton.

CHAPTER X

A NORTHERN JOURNEY

I

DANA'S departure, now decided upon in principle, was delayed by very practical difficulties connected with the personnel of his mission. His determination to travel as a private individual made it superfluous to attempt any of the display and pomp then considered incumbent upon a diplomat accredited to the Court of the Great Empress. Congressional economy had, moreover, made such pretensions out of the question. But even a private traveller, unacquainted with any language but English, must depend upon some companion to act as guide and interpreter. In his dilemma Dana considered in turn several of the group of diplomatic volunteers or hangers-on who surrounded Adams at The Hague. The individual first selected was Edmund Jennings, a cosmopolitan American of somewhat doubtful antecedents who had succeeded in impressing the Boston statesman with his sophistication and vast experience of European affairs. Jennings was at first inclined to accept the post of Dana's "Secretary" but just before the date set for their departure visions of Siberian exile began to trouble his diplomatic dreams. At the last moment—a circumstance in every way fortunate—he decided to remain in the more congenial climate of Europe.

Considerably disturbed by this event, Dana now came to a decision which was to lead to the happiest results and, in its outcome, even to affect the course of his country's foreign policy. John Quincy Adams was now a mature youngster of fourteen. While occasionally acting as his father's secretary, he was pursuing a course in the "humanities" at the University of Leyden. His choice as a companion for a distant and problematical quest was probably due to Jennings' sudden defection as well as to Dana's observations concerning the attainments of this extraordinary boy. Nor did the American Agent, as the sequel shows, have reason to regret his choice. "Master Johnny" was now a veteran of two journeys to Europe. A course at the famous school of Monsieur Lecœur at Passy—and the copying of endless French documents at the American Legation—had made him acquainted with the "language of diplomacy." At certain moments of crisis his proficiency was to be found less impressive than his fond parent and Dana believed it to be.[1] Yet he must have been a marvel of linguistic skill when compared to his chief (whose most conscientious efforts to learn any language other than his own remained almost without result until the end of his career).

Not without some effort on Dana's part was Adams persuaded to make the possible sacrifice of his son's health and education upon the altar of his country's need. Such conduct was entirely in the Adams tradition. In all this amazing transaction the question of "Master Johnny's" ability to meet the requirements of the task before him never seems to have been raised. The dangers of submitting him to the awful temptations of the Russian Court was doubtless discussed—a more serious obstacle than inexperience in the eyes of his Puritan guardians. With scant equipment for diplomacy, Dana's preparation for a foreign tour was even less remarkable. His ward was, indeed, an experienced and observing voyager, but many of the best influences of travel had been denied him. His father's views in this respect are noteworthy: "The public buildings and garden, the paintings scultpure architecture, music etc. of these cities have already filled many volumes," the elder Adams wrote to his wife. "But what are all these things to me?" His program for the education of his sons included a study of "mathematics, philosophy, geography, natural history and naval architecture, navigation, commerce and agriculture." He had vigorously proscribed "painting, poetry, music" with "statuary, tapestry and porcelain." He might have added "good manners, gentlemanly culture and urbanity"—every quality in short that would recommend the young secretary to the good graces of a court which prided itself upon a patronage of the arts. That both Dana and the younger Adams were able to throw off in some degree these Spartan affectations is revealed by the almost guilty admissions of their diaries. To neglect such counsels was indeed essential to their task. But to acquire the more frivolous graces of their calling was beyond their ability or desire.

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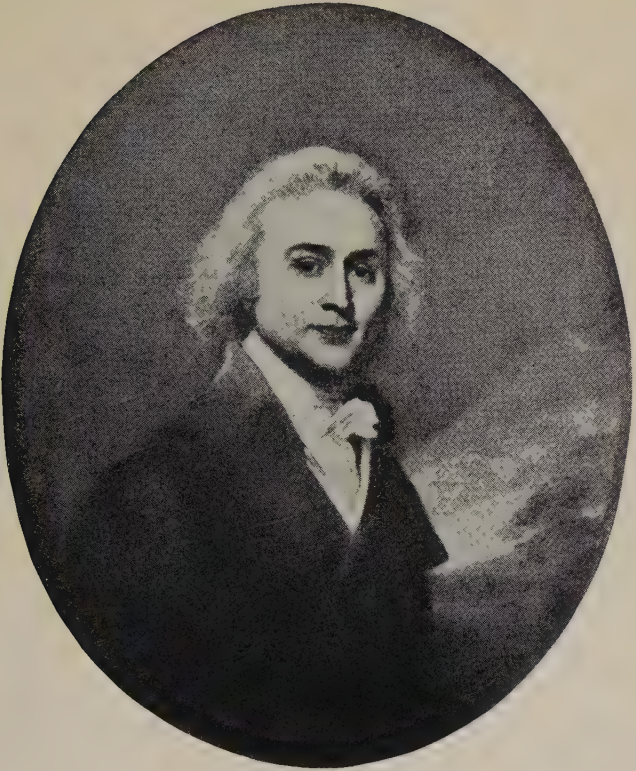
[1] Renaut.

The outer appearance of the American Embassy, however truly it conformed to the Adams ideal of simplicity, must have prejudiced their cause in the eyes of Catherine's diplomats and courtiers. Franklin's militant democracy had always been graced by a certain *bonhomie*. This imponderable quality (although he escaped much of the aggressiveness that had marred the elder Adams' foreign career) Dana was never to achieve. As a portrait print, published a few years later, portrays him, he remained to the end a typical son of plain-thinking, high-living Cambridge. His round head, topped by a plain wig with a characteristic bang and straight-cut side wings, marked him from afar for what he was—a Puritan lawyer. Shrewd deep eyes, and a straight-set mouth, somewhat smiling at the corners, in no way belied this first impression of austere respecta-



JOHN QUINCY ADAMS

bility. It was a pattern approved by his fellow countrymen but in the eyes of Europe, a version of the colonial European still incongruous to the pitch of sublimity.

II

It was early in July, 1781, that Dana and the younger Adams at last set forth on their eventful journey. Their destination was a land still as mysterious in the eyes of Europe as its ruler's policies and intentions were to remain in the estimation of our earlier diplomats. Both politically and geographically Dana's journey was a voyage of exploration. The leisure afforded by the slowly-drawn vehicles in which this progress was made is probably responsible for the meticulous record of this journey (largely unpublished) which is preserved in the Dana archives:

> On Saturday the 7th of July, at about 2 o'clock, I took my departure from Amsterdam for Utrecht, where I arrived at about 7 o'clock, the distance is about 27 Engh. Miles. On this Road there are many Country Seats with gardens in the unnatural fashion of this Country, belonging chiefly to Citizens of Amsterdam. The Houses are plain & neat, but not constructed upon the principles of Architecture. Indeed it is rare to meet with one in any part of Holland that is so. They are however frequently very elegant within, and finished, as well as furnished at a great expense. The Entries of their Houses are generally *paved* with large and beautiful Marble Slabs, and are besides wainscotted with the same, the lower Stairs are commonly of marble also. The workmanship of their Houses both within & without is exceedingly well executed: they are almost universally built of brick which are laid in a manner more exact, and with better cement than I have observed in any other part of the world.

The next entry in his diary reveals Dana in the rôle of a "Sentimental Traveller." Their escape from the tutelage of the elder Adams was already showing its results. Concerning Holland he wrote:

> This is a Country on the whole not for pleasure & amusement, but it most certainly exhibits a sense not only peculiar to itself, but pregnant with useful knowledge and Instruction; and from which, an attentive, not to say, sentimental Traveller, may derive much benefit. They live in a world which may be said to be made with hands. The whole is an astonishing machinery, created, connected, constantly preserved, by the labour, industry and unremitting attention of its Inhabitants, at an Expence almost beyond Calculation. This Country will therefore rush on to a decay the more rapid, and which will show a striking contrast with the slowness of its Creation. If this decay may not be said to have begun already, yet I fear the time is not very far distant, when every eye will behold it.

Dana's observations on the political state of the Dutch were of course colored by his own impatience at the temporizing policy of the States-General:

> . . . As her Commerce has decreased in proportion as that of her neighboring Nations has increased, and will continue to do so, while things remain in their present state; it seems there is no possibility of sustaining it, even in its present condition, but by entering with spirit into the war against Britain, forming an Alliance with America, and opening a Commerce with that Country. These great ends can be brought abt. only by overthrowing the system of the Stadtholder. This might easily be effected if the views of the Regencies were enlarged & sufficiently liberal to induce them to call the people to a participation of the public Authority. An event not to be expected. The People of this Country are in as complete Servitude politically considered, as any in Europe. They serve two Masters, whose views though they run counter to one another in one sense, yet they unite in keeping the people in a disgraceful bondage. Their servitude is more intolerable than that of Monarchical Slaves, and this is owing to the mutual Jealousies of the Stadtholder & of the Regencies.

III

In the course of this intimate journal Dana happily departs from his usual formal mode of expression, a lapse which in no way detracts from the pleasure of the modern reader. His naïve wonder at the common sights of the great European Highroad shows that travel in America was still in a primitive stage. It is to be regretted that his fellow voyager, the future diarist, did not leave any memento of his youthful impressions:

> . . . On the 9th I purchased me a Coach for my route, to avoid the trouble & delay of changing carriages as well as horses, as in the manner of the Posts in Germany; & on the 10th at ¼ before 10, I set off from Utrecht for Nemiguen, about 50 Eng. Miles, or 10 hours ride. I crossed the Rhine at 4 o'clock, by a rope Ferry, and in about one hour came to the Waal, and riding on a high Dyke along the banks of that River which is very beautiful, much larger & more rapid than the Rhine, where I passed it; in less than three hours we arrived opposite to Nemiguen, where we passed the Waal by a movable bridge of Boats, carried over by the force of the current only. The Construction of this was very striking to me who had never seen one of the sort. It was formed by ten boats connected together by timber laid across them and then plank across the timber, railed round; those were fasten'd to the shore, next were two much larger boats connected together & the bridge laid upon them, as upon the other. You pass on over the first to those larger boats, where the platform is sufficient to contain 5 or 6 Carriages with four horses each or about four hundred Persons. On this platform was raised a cross piece near the head of the boats upon their masts, over which passed a small cable which was affixed to the stern of the boats, and the other end was carried to a boat upstream, so continued over 7 boats in all, moored to one another by a chain fixed to the Cable, & passing over to the uppermost boat, which was secured by a suitable anchor. When you have entered the platform upon the great boats (which you may do without quitting your Carriage in great Safety) they are cast off from the ten others, or the fixed bridges when the current gradually wafts them over to the other side, where are three or 4 boats fixed to the shore in the same mannr as the ten boats first mentioned, you drive over these & land with the utmost convenience. You recross in the same manner.

July 12th. We set off from Hochstrast for Cologne distant about 60. Eng. Miles, at 6 o'clock, and the distance being the same, on either side of the Rhine, where we arrived at noon, passing the Rhine on a bridge of Boats like that at Nemiguen before described. I took this rout for the sake of seeing Dusseldorp, which I was told was one of the best Towns in Germany. There are in it also a famous collection of paintings but I coul'd not see those without spending the whole day there, as the rooms wou'd not be open till the afternoon; and having already had my Curiousity of that sort nearly satisfied by the paintings I have heretofor seen in England and Paris, but especially at Antwerp, and not pretending to be a Connoisseur in that art, I thought it best after having traversed Dusseldorp, and taken a transient view of its fortifications, to push on for Cologne.

It will be inferred that Dana shared with a majority of his countrymen a certain Puritan superiority to such minor matters as painting and the arts. He now entered the territories of that curious, almost forgotten relic of medieval Europe—the Holy Roman Empire:

. . . We repassed the Rhine at a little village opposite Cologne on a similar bridge of Boats, as above. You pass the River in fifteen minutes. The Bridge goes off every hour, but passengers may go in smaller boats from either shore, when the Bridge is not there. Whether this is the practice at the other Bridges, I can't say, as I did not particularly enquire.

Cologne. We entered Cologne at about ½ past 7 o'clock. This is a very antient City, and is by far the largest we have seen since we left Amsterdam, but at the same time, the most irregular, and dirty. The streets are very narrow, the houses in general much decayed. There are Churches and religious Houses in abundance here. It is surrounded except on the River, by a Ditch & Rampart, but by no means can be considered as strongly fortified. . . . At the upper end of this City, stands upon the waters edge a brick Tower from which place 'tis said, Julius Caesar built his famous Bridge across this River. I was told, but I cannot vouch for the fact, that in the year 1776, a time when the waters of the Rhine were exceeding low, that the remains of the Bridge cou'd be plainly seen. It's gates are thrown open, in time of war, to the armies of friend or foe. It is indeed too large to be well fortified. Perhaps it wou'd require an army of not less than twenty Thousand Men for the defence of necessary Works. . . . too large an Army to devote to such a purpose. Cologne is in the Circle of the Lower Rhine & is subject to its Elector. Maximillian, brother to the Emperor, has lately been elected Coadjutor of the District as Bishop of Cologne. The Archbishop is one of the Electors of the Empire.

July 14th. I left Cologne abt 6 o'clock this morning (having rested there on the 13th) for Coblentz, abt 66 English miles. I arrived abt 6 o'clock, & not being able to procure Horses, I put up for the night. The roads on this days rout were better than any I had yet met with. There is nothing singular in this part of the Country, except that here you find the vineyards which produce the Rhenish Wine.

Below Cologne, indeed there is a Change in the face of the Country about 1½ hour after you leave Bonne which is rather more than one third of the way from Cologne. All the Country till you reach Bonne may be considered as one great plain with here and there a moderate Hill. But here the Country may be called mountanous, & the Rhine flows between extensive Ridges of mountains, which are principally cultivated with Vines. . . . I have forgot to mention that on the River opposite to Cologne there are 6 or 7 Mills built together on a Raft, or Boats, and anchored off in the River. These Mills are perpetually going, unless in the Winter when they are obliged to remove them, and supply the City with meal or flower. This invention might be easily adapted on all Rivers having a sufficient current, and which are constant in their Course. Of this sort there are many Rivers in America. It might be adapted with much less expence than that arising from the common practise of building Dams; and it might besides be executed where that method is impracticable. I am sorry I had not time to examine the Construction of these Mills, but I suppose it to be very simple, and that the thing need only to be mentioned in order to be executed in all suitable places by Men of a spirit of Enterprise, and who wish to adopt every useful Invention, in whatever part of the World it might be discovered.

The Puritan Dana not unnaturally took an interest in the politico-religious problems of the countries through which he passed:

> . . . We arrived at Frankfort at ½ past eight. Frankfort is an Imperial City, governed by its own Magistrates, who are elected annually and who must be of the Lutheran, which is the dominant Religion. In this District, which is but abt 1½ mile or 2 miles around the City, both Catholicks and Jews are tolerated, and have their respective Houses of Public Worship, yet here, the Calvinists are not tolerated, but, like the Protestants of Cologne, they are obliged to resort into another District, viz into Boskenheim, a village a few Miles distant, situated in the Province of the Prince of Hanover for the benefit of Public Worship. Thus we here see something still stranger and more illiberal than what we observed in Cologne, where in a Catholick Territory, Jews were tolerated, while Christians of the protestant persuasion of every kind were rejected: The Lutheran Government of Frankfort tolerate both Jews & Catholicks, yet they absurdly deny toleration to other protestant Sectaries. . . . A political reason may indeed be assigned for this Conduct, and perhaps it is no other than that the Lutherans fear, that if they shou'd tolerate the Calvinists they might be puzzled to find a good reason for excluding them from the Magistracy of the City. 'Tis now eno, they think, to say the Calvinists not being tolerated here can have no consistant claim to participate in their Government. Tis a favour they are permitted even to exist among them.

IV

At Leipzig Dana entered the realm of Frederick of Prussia. The Great King, whose military reputation extended to America, was, after the Seven Years' War, considered the first Sovereign of Europe. His attitude towards revolution had been shown in his treatment of Arthur Lee—but as a "private individual" Dana was spared all official contact with the Prussian Court.

Little as he esteemed "rebels" King Frederick had on the whole been a useful factor in our earlier diplomacy through the anti-English influence he had exercised at the Russian Court. But no lover of freedom could look unmoved on the condition to which militarism had reduced the Prussian people: "As to his abilities for legislation," wrote Dana, "I leave those to extol them who can give the name of laws to the arbitrary and capricious regulations of as complete a despot as has ever been sent into the world for a curse to mankind." [2]

Yet Dana thought Berlin "the prettiest city I have anywhere seen" and although shocked to find "the arsenal the most complete of any public building" he was happy to write down that a new library was "next" in order of importance. His admiration for the technical perfection of the great King's military machine—for which he had been prepared by an acquaintance with Steuben at Valley Forge—did not blind him to the miseries of the system that had made it possible:

> Every family, generally speaking, has all Its males enrolled, who under the exceptions mentioned hereafter are obliged to serve. The father of the family and one son, the oldest are exempt, but all the rest must join the army when called upon. . . . troops are stationed in every almost every town and vilage of his dominions, but you see no barracks as they are quartered upon the inhabitants. There are twenty thousand in Berlin. But this army is not kept constantly embodied, the foreigners only are so.

The pay of these unfortunates was five cents a day, and the parsimonious king not only allowed his captains to pocket a large proportion of this scanty allowance but even shared in the nefarious practice himself. Concerning Berlin Dana wrote:

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[2] Although the Journal of Francis Dana from Amsterdam to St. Petersburg has never been published, the next paragraphs regarding Berlin are reproduced from an entertaining article on "Early Prussianism" by Richard Dana Skinner. (See the *Nation*, Aug. 16, 1917.)

July 23. We set off from Leipsig at 1 o'clock, & travelled the whole night, for the first time, but unfortunately by the mere carelessness of the postillion, our carriage was over thrown abt 4 o'clock at night in the midst of a Forest between Duben & Witerberg, we however got on with much care, with our Carriage to Berlin. The next day abt. noon, having lodged at a village, a post distant from the City. Berlin is the prettiest City I have anywhere seen. Its Streets are wide & generally very regularly laid out. The palaces, particularly the Royal Palace, are very elegant. That is finished only on three sides, & the square within is totally disfigured by a building without form or comeliness which is erected across the Center of it, where the Courts of Justice are held. . . . The City is ornamented in many parts by houses built for private citizens at the King's Expence. As he is perfectly acquainted with every part of the City, if he sees a poor little indifferent house standing in a conspicuous place, he orders the Proprietor to quit it, has it demolished, & causes a very handsome & perhaps large one to be erected in its place, which, when it is finished, the proprietor enters into, & takes possession of as his own. . . . In this way the King spends every year very considerable sums, and if he was a young Man he wou'd make Berlin the most beautiful City in the World. It is but about 12 years, as I was told, since he has taken up, this design of ornamenting his Metropolis. The late King had built many houses with the same view.

. . . The King, if one is to judge from the Conversation which is held of him in his Capitol, & which is very free there, is generally hated by his Subjects, who consider him as unfeeling a Tyrant as ever existed, and themselves born down by the enormous weight of his Stupendous Military System. But to his Will there is everywhere the most exact obedience paid. I had been told that he had been informed of this freedom of speech against himself, yet seeing no danger to his authority cou'd arise from it, he had the good sense to notice it only by saying, "Let my subjects say what they will, while they do what I will."

V

The Free City of Danzig—especially its plight following the iniquitous partition of Poland—aroused

Dana's democratic sympathies. Here he could compare the former commercial prosperity of the old Hanseatic town, and of its neighbor Memel, with the existing state to which the crimes of eighteenth century diplomacy had reduced its inhabitants:

> Aug 7th. We arrived in Dantzick the last evening. Dantzic is under the protection of Poland, and has a right to vote in the election of its King. He has a principle Magistrate in the City, who represents him there, but no real Authority. This is a very antient City, & has been considerably for its strength, its Wealth & its Commerce, but is no longer so, especially since the King of Prussia, in view of the late partition of Poland stipulated between the Empress of Russia, himself & the late Empress of Hungary & Bohemia hath seized upon all the neighbouring Territory & practises every possible means to cramp & ruin the Commerce of Dantzic. . . . The City is built in the Dutch stile, with rows of Trees on each side of almost all the Streets, which were once sufficiently wide but have been reduced by running out from the Houses very large Flatts or Stoops, upon which the Inhabitants, but especially the ladies, are very fond of sitting, & shewing themselves. . . .
>
> Aug. 11. We spent the day at Konigsberg viewing the Town the Shipping, Ship Yards, etc., and in making some Enquiries respecting the Trade & Navigation. . . . We rested one night at Memel which is a small Town situated upon the Entrance of the gulph. The Water is here deep eno to admit large Ships to the Town. We counted 12 square rigged vessels laying in the River, four or five of them, Ships. Some of them were loading with Masts, Spars & Lumber. A fleet of sixty Sail left this port about a week since, with such Cargoes for England, part of the fleet of upwards of 300 which were convoyed to the Baltic lately by Adml. Parker. Memel is a small ill built dirty Town, & I believe has no Commerce of Consequence except the above.

VI

Ten days later Dana crossed the boundaries of the Russian Empire without notable incident. His arrival seems to have passed unnoticed by the authorities—nor was he questioned as to the purpose of his journey. A long period of ignominious obscurity was about to begin for the unrecognized American "Envoy":

> Riga is much smaller than Dantzic or Konigsberg. It is fortified all round, & seemingly tolerably strong. It is the Capital of Livonia. It is irregularly built & laid out. This Town was taken from the Swedes by the Russians . . . after a long seige, in which the Russians lost more than 10,000 Men. It has ever since been under the Russian Government. I arrived in Riga on the 17th of Aug. & being acquainted that a passport from the Govt. was absolutely necessary for without one I shou'd obtain no Horses, I applied the next day (Saturday) for it, but was told by the Govt. I must wait till Monday. It seems none are granted on Saturdays or Sundays. We set off from Riga on Monday the 20th P. M. but were stopt that night at the first Station, for want of Post-Horses. . . .
>
> Augt. 26th. We left Narva for St. Petersbourgh which is distant about one hundred Eng. Miles, at 9 o'clock A. M. & riding day & noght, we arrived the next day about 10 o'clock. The Country in this rout is level and the road good, the soil indifferent & but little cultivated. Some Forests of Pines, but more Heaths, no villages of consequence. There are many Country Seats near the City which display a pretty taste and variety in Architecture, and on the whole the Environs of St. Petersbourg are very pleasant. I shall wait till I become better acquainted with it, before I attempt to give a description of this City, a superb Monument to the immortal Memory of Peter the Great.

The by-ways of this monumental city, and the backstairs of its palaces were to become, indeed, familiar to Dana and his brilliant young protégé. But the promised descriptions were never written. Approached with high hopes and noble ambitions the capital of the Tsars reserved for the American envoys a long season of disillusions.

CHAPTER XI

A BALANCE OF POWER

I

DANA arrived in St. Petersburg on August 27, 1781. The early Russian autumn was already at hand. The capital which, at the bidding of Peter the Great, had risen from the marshes of the Neva was shrouded every morning by a heavy mist. Through this fog loomed the mysterious splendors long anticipated by the weary travellers. The broad streets and squares of the capital they found somewhat deserted and desolate. The Tsarina and her court were absent from the great Winter Palace. This circumstance, however, permitted Dana to install himself without raising any immediate issues concerning his official reception. Lodgings were secured in a Russian inn bearing the misleading and ambitious title of "L'Hôtel de Paris." Here the American "Minister" and his secretary, the younger Adams, were to spend mony months of mortifying seclusion. An American servant—later described as a "faithful friend"—was their only attendant. Such an installation was hardly calculated to impress the importance of his mission upon the officials of a luxury-loving sovereign.

The only member of the court upon whom Dana might rely for counsel, as he now discovered to his dismay, was absent. Count Panine, the "friend" mentioned in his correspondence with John Adams, had shortly before been relegated to a condition of semi-exile on his country estate by an intrigue of the "Great Favorite," his rival

Prince Potemkin. Dana's one remaining resource was to apply to the French Minister, the Marquis de Verac, whom he distrusted as the agent of Vergennes—and Franklin. Moreover, as he was soon to discover, Verac was even more ignorant than himself concerning the more recent developments of Catherine's plans for a European mediation, and her negotiation with the Dutch concerning the "Armed Neutrality."

A well-reasoned dispatch that Dana had written to Congress from Berlin (July 20) surveyed the diplomatic situation from the viewpoint of his experiences in Paris and Holland. He wrote:

> Not one of the belligerent powers, I believe, has an expectation that a pacification will, or should be, brought about yet awhile. Spain wishes to possess herself of Gibraltar and the Floridas. . . . Does she not flatter herself that by the continuance of the war that Britain will become so enfeebled they may be wrested from her. . . . France wishes to establish herself in the place of Britain. . . . To effect this she well knows that America must be supported in her independence. But is the time yet come . . . to make this last measure a part in their mediation? [1]

The government of the United States still hoped for some decisive action in their favor by the great neutral courts. But Dana had lost "faith that the present mediation of the Emperor and Empress will issue in a pacification." Upon this point he argued with prophetic eloquence. To support his suppositions he enclosed a memorial from the French Minister in St. Petersburg (doubtless obtained through some spy in Berlin) which, "taken with the present retirement of Count Panin, seems to denote an essential change in the court of Petersburg." This document contained little else than a series of fretful representations by Verac upon "the continual proceedings of the English against the commerce and navigation of the neutral nations." While demanding "the vigorous cooperation of her Imperial Majesty, seeing that otherwise the said association of neutrality will be turned but to the benefit of the enemies of France," it held forth no hopes for such a result. Such an attitude Dana considered fresh proof of the disillusionment of the French King concerning the practical results of the Armed Neutrality. It also confirmed his fast-increasing doubts that in his own mission to the Empress, the French "could give any expectation of any essential support in my commission." The one encouraging development in a diplomatic prospect singularly bare of promise was a rumor that had reached him in Berlin to the effect that Frederick the Great was "growing more favorable to a strong neutral policy."

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[1] Wharton.

Dana also secured, and transmitted to Adams from Berlin, a copy of the articles governing a proposed general mediation for peace which was the subject of negotiation between Vergennes and the Russian Court—a transaction which both the Americans had every reason to regard with apprehension. This document, the first-fruits of Dana's mission, was to play an important part in a preliminary discussion that now took place in Paris concerning acceptance of the mediation by the colonies. It was fortunately placed in Adams' hands, when, to his surprise, he was summoned from The Hague by Vergennes to consult with the Ministers at Versailles.[2] He was, perhaps, not disappointed to find that his suspicions of Franklin's pliability were to be confirmed: Vergennes was busily devising plans for a European Congress at which the Empress Catherine was to preside. All the great belligerent Powers were to be represented, but England had absolutely refused to consent that the former colonies should be admitted to these

[2] J. Adams.

debates. The British Ministry insisted that the King's dealings with his former subjects should be confined to a special negotiation of a non-European character. Although Vergennes was plausible and reassuring, Adams, enlightened by Dana, readily saw in the proposed transaction all the dangers of a separate peace. Moreover, Adams seems to have believed that Franklin had "assented" to the whole perilous plan. As the former was still the sole commissioner for negotiation of peace with the London Ministry, his emphatic negative, delivered on July 13, put an end to the entire transaction.[3] Vergennes, in spite of Adams' suspicions, loyally withdrew from the negotiation and the further development of plans for a Congress was thus left in the hands of Catherine's officials. That Dana was soon made aware of the outcome of this important interview is shown by a subsequent guarded reference in a letter to Adams concerning the latter's Parisian "tour." But, while St. Petersburg now became the diplomatic pivot upon which turned matters vital to the success of the American cause Dana soon found that his presence even as a "private individual" was resented by the Russian Foreign Office as a hindrance to their plans.

II

Under the date of August 30 (Old Style), Dana announced his arrival in St. Petersburg to the French Minister, M. de Verac. The latter replied the same day that he "would be flattered to make his acquaintance," and desired "to render him any service in his power." Dana in return disclosed that his negotiations would be "conducted in perfect harmony with those of his Majesty." He also asked Verac for his support "in the business of this mission . . . the general object of which

[3] *Ibid.*

is to engage her Imperial Majesty to favor and support the sovereignty and independence of the United States." Verac's answer contained at least one item of comfort. In making Dana "acquainted with the progress" of the mediation (which in ignorance of the result of Adams' "tour" he wrongly assumed to be accepted by all the belligerents) he wrote: "I confide to you also that the United States are to take part in it, and that these august mediators desire that your deputies may be admitted to the Congress . . . that they may be able to debate and discuss their own interests." He added that "you will readily comprehend that her Imperial Majesty, not wishing to dissatisfy the Court of London . . . abstains with the greatest possible care from showing any particular inclination for the American Cause."

Although Dana was even better informed than the French Minister respecting the actual state of the mediation, he seized with true diplomatic ardor upon the erroneous version contained in Verac's statement. If the Tsarina proposed "to ensure the representation of the United States at the proposed Congress of the Powers," this, he believed, might considerably improve his own status as Envoy. Insisting that "the American revolution was of the first importance to all the maritime powers of Europe" and "concerned the Empress in particular" he declared it to be "the only basis upon which could be erected her favorite and just system of equal commerce." He then proceeded to develop for Verac's benefit the consequences, as he saw them, of the proposed "participation": "It is difficult to conceive," he wrote, "upon what ground her Imperial Majesty could propose that a Minister, appointed for the express purpose by the United States . . . should be admitted into a Congress . . . if she did not admit the political existence of that body and consider it as a complete sovereign." To add strength to this contention he reminded the French Envoy that "your Illustrious Sovereign made this declaration in the face of the whole world more than three years since." [4]

Entering upon a more personal matter, discussion of which Verac's communications seemed to justify, he complained that it would be "betraying the honor and dignity of the United States to seclude myself in a hotel without making one effort to step forth into political life; besides which I think I owe this also to her political plan to the utmost gratification of my wishes." He added as a kind of ultimatum: "The measure I propose to take is to make a confidential communication of my public character to the proper Minister of her Majesty," assuring Verac, however, that "I have not yet assumed any public character."

On September 12th Verac wrote another letter in which Dana was very gently disabused of any illusions their earlier correspondence might have aroused: "I alone have been wrong," he wrote, "not to enter more into detail concerning the article you have erected into a principle . . . I cannot better repair my omission than to transcribe the article as it has been sent to the Courts of Versailles, Madrid and London. 'There shall be a treaty at Vienna, under the direction of the two Imperial Courts, concerning all the objects of the re-establishment of peace, etc. . . . And there shall be at the same time a treaty between Great Britain and the American Colonies for the re-establishment of peace in America, but without the intervention of any other belligerent parties, not even that of the two Imperial Courts, unless their mediation shall be formally asked and granted for this object.' "

The terms of this article which Verac underlined in his note were the same as those already communicated by Dana to Adams a few weeks previously. Against a too ready acquiescence in the clause respecting the British negotiation, the latter had energetically warned Congress (on July 11). Even Verac distrusted a "separate negotiation"; "Have the goodness, Sir," he now wrote, "to observe that I do not say that I approve this scheme. I merely say the august mediators have adopted it. . . . It is therefore clear that their design is to avoid compromitting themselves by admitting the independence of the United States till England herself shall have taken the lead."

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[4] Wharton.

Dana failed to recognize the candor of Verac's reasoning. "The difficulty," as Wharton remarks, "was that Dana did not understand French and wrote to Verac in English, while Verac, whose son-in-law translated Dana's letter, answered in English." In his dispatch to Congress Dana with some exaggeration chose to interpret the French Minister's attitude as a refusal to co-operate in securing the desired recognition of his rank as Envoy:

"Nor can it be my duty nor the expectation of Congress," he wrote to the President, "that I should blindly fall into the expectations of any man. . . . My present opinion is that the Mediators do in fact consider the United States as an independent power." Verac's interpretation he considered "as merely colorable terms, and a specimen of that *finesse* from which the politics of Europe can never be free." He was, however, willing to admit that if the French Minister's views were correct, and "if her Imperial Majesty has really resolved upon such a strange system of politics, the sooner Congress obtain the best evidence of it, the better on many accounts, and this is to be had only by making this experiment." [5]

[5] *Ibid.*

III

In following this line of policy, somewhat dangerously at variance with the terms of his instructions, Dana was forced to depend on his own resources. To replace Verac as a mentor and to find a guide through the trackless morass of Russian political intrigue was however no easy task. To Adams he wrote (from St. Petersburg, Aug. 28, 1781) concerning his suspicions of the French Minister's candor of purpose:

> After all, *you* will not be surprised to learn I am told, in effect, that I am here *too soon;* that the proper time is not yet come. In the name of common sense, I was about to ask you, what this Gentry can mean; but I believe that we are at no loss to answer this question. I am promised however, in the most flattering terms, every assistance in matters touching the joint or common interests of the two Houses, yet I am told not to expect it in matters that may be injurious to one, without being advantageous to the other. Such frivolous reasons appeared to me to have been assigned to show the time is not yet come, that I have presumed to question them. This I imagine may give offence, when I wou'd not wish to do it. But must an implicit faith be put in all things which may come from a certain quarter? Happily all our communications have hitherto been in writing: so that they, whose right it is to judge each of us, may do it understandingly.

St. Petersburg in the continued absence of the great Tsarina was like a frame without a picture. Dana's differences with the French Minister, reviving all his suspicions of Franklin and Vergennes, were already ominous for the success of his mission. Chafing at these delays he poured out his complaints to his correspondent. The "friend" mentioned was probably Count Panine, or some one in his office.

> I am not disappointed in this difference of sentiments upon my main business, yet I am somewhat shocked that I have

been here 12 days since he knew in a proper way of my being in Town, and have not received the least mark of attention from our *friend,* except what may be contained in civil words only. The reason of this, we may conjecture, and perhaps we may not be far from the Truth. . . . It cannot be without design. I think I have candidly, & I believe, decently given my own sentiments upon the subject, and told our friend, what measures I intended to pursue, to endeavour at least to come at the end in view. He received my letter on the evening of the 25th, but I have yet had no answer. It was a long one, it is true, & he not understanding English, must have it translated; so that I do not absolutely conclude that he will not answer it. He communicated to me in confidence, what had been communicated to me before in the same way, touching a proposal made, to speak in plain English, by the Mediators, agreeable to our utmost wishes: He did not tell me, as the other person had done, that the Mediation was rejected on account of that proposition by the Court of London. This I suppose to be the truth, tho not a lisp of it is to be heard yet without doors here. I wish soon to receive a confirmation of it from your own hand: when I can make that use of it I now want exceedingly to make of it. I take it to be a matter of great consequence to our Interests, and I build many hopes upon it in aid of my business. It seems to open the real, good disposition of those Sovereigns for our Cause. I have made use of an argument of this sort to our friend in my last. Do not withhold from me *a moment* any information which you think can be improved to our advantage. Let no supposition that I may be otherwise informed of it, stay your hand. What comes from you, I shall think myself at liberty to make use of, at my discretion. You must have gained information on your late tour, which will be of importance to me.

A few personal references and reflections closed this important communication the original of which is preserved in the Adams archives:

Your son is still with me at the Hotel de Paris. He is desirous of my procuring him a private Instructor. I shou'd like this very well, as I should be fond of having him with me, but I cannot yet obtain proper information upon this head. I shall endeavour to do the best with him. Your sentiments on this point may not be amiss. I beg to write me *under cover* to Messieures Strahlborn & Wolff, Banquiers a St. Petersbourg. I had like to have forgot our news of the action between the Dutch and English. The former it is agreed here acquitted themselves most nobly: but why were they sent out so feeble upon so important a business?

IV

"This is the first City I have seen in Europe," wrote Dana, "and far exceeds all my expectations; alone it is sufficient to immortalise the memory of Peter the first. More of the real grandeur of this City and Empire hereafter." [6]

Could the Empress have been made aware of these sentiments the American Agent might have drawn profit therefrom. The diplomats who represented the Great Powers in Russia were inclined to consider St. Petersburg as a place of exile from the pleasures of Europe. This attitude Catherine—herself a European—was not unnaturally inclined to resent. Moreover, with the exception of the brilliant but unsuccessful British Minister Harris, the "corps" was a rather second-rate group of *déclassés*. Most of them had accepted their posts tempted by the adventure of fishing for the golden prizes that were occasionally drawn from the troubled and muddy waters of Russian official intrigue. Others, like Verac, were men too broken in fortune and credit to occupy more pleasant or ornamental missions.

Verac was an old habitué of Versailles, a member of the "Queen's set." Better versed in the petty—but to him all-important—intrigues of court life than in the complications of European politics,[7] he was somewhat bewildered by his new surroundings. Like Dana, a new-

[6] Adams Mss.

[7] Renaut.

comer, and probably aware of his own shortcomings, he had failed to profit by the advice which his predecessor, Corberon, might have afforded him. The latter (who had only ranked as a Chargé d'Affaires) had not only skillfully carried forward Vergennes' plans, but also played a notable part in promoting better relations between Russia and France.

Verac's attitude towards Dana requires a knowledge of the position which his Legation had enjoyed before the latter's arrival. His predecessor Corberon had been the sole means of communication between the Continental Congress and the Empress, and officially reported American approval of the principles of the Armed Neutrality. Like Verac, he seems to have shared Catherine's supercilious attitude towards "rebels." Yet both of these diplomats had loyally carried out the instructions of Vergennes[8] so far as their monarchial prejudices permitted. The instructions sent to Verac announcing Dana's arrival were, moreover, not calculated to impress him with the importance of the part to be played by the new American Agent in the French Chancellor's program. Vergennes had even misspelled Dana's name: "M. D'Aena, American, proposes to visit Russia *incognito,"* he wrote, and his anonymity was to be encouraged and preserved. Verac was patronizingly enjoined to "procure for him such pleasurable relations as might be available." But if the American should show a desire to secure diplomatic recognition, the Minister was directed "to hold himself apart . . . unless the Russian government should desire such an issue." He was further informed that "d'Aena is of a gentle and unassuming character and likely to behave modestly at Petersburg." It was even suggested that, should the mediation progress, he might "become useful." In this connection, in spite of Adams' suspicions,

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[8] *Ibid.*

Vergennes reminded Verac that in the event of such a negotiation, "the participation of the Americans . . . must be a *sine qua non* of our policy." [9]

Vergennes' dispatch, and other instructions that were laid upon Verac reveal the difficulties of this mediocre personage in acting as a guide for Dana through the Oriental labyrinth of Russian foreign relations. The latter, indeed, found him but a poor resource. A more sympathetic personal contact might have resulted had the two envoys been in a position to discuss their curious relationship. But both men were prevented from communicating freely with each other, due to the lack of a common language. This produced a veritable comedy of errors which even the precocious and somewhat overvaunted linguistic ability of "Master Johnny" Adams was powerless to prevent.[10] Their negotiation was in practice carried on by a boy of fifteen and the Marquis' son-in-law, a wild young rake—better known to the police of St. Petersburg than to the diplomats of the Court. To judge from the originals (preserved in the Mss. "Papers of the Continental Congress") the latter was unable to write even his own language correctly or intelligibly. Translated into English, Verac's communications lost much of their unctuous suavity and the French versions of Dana's more straightforward replies—as rendered by the conscientious Adams in the family manner—were more candid and brusque than the protocol approved.

V

Dana's not ill-founded suspicions of Verac made the first days of his stay in the Russian capital a time of memorable difficulty. As revealed in his correspondence with Adams, he, however, soon succeeded in tapping sources of information and advice. It seems not improbable that Stephen Sayre, that stormy petrel of early American diplomacy, was one of these occasional, anonymous counsellors. Sayre, as already described, had been present at the earlier conferences that led to the signature of the Armed Neutrality. He had subsequently chosen St. Petersburg as a promising field for the exercise of his peculiar talent for intrigue. During the year 1780, he had even succeeded in making himself mildly obnoxious to Harris, the British Minister, who described him in his unpublished dispatches as "plausible, impudent and indiscreet, with better parts than judgment, enterprising in forming a bold project, but unequal to its execution . . . a rebellious adventurer, but without those qualities requisite to obtain even the confidence of his own party."[11] Harris, when at the height of his popularity with the Empress, had treated Sayre as an "American spy" and the latter had retorted by a somewhat burlesque attempt to involve the British Envoy in some connection with a plot to burn the Russian fleet.[12]

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[9] *Ibid.*

[10] *Ibid.*

Had this unauthorized agent been more discreet Dana might well have joined him to his mission. Sayre was apparently enjoying one of his self-imagined periods of "diplomatic" importance when the latter appeared in St. Petersburg. He had even succeeded in impressing an English adventuress—the pseudo-Duchess of Kingston—with his "position" and was attempting to engage her and a group of Russian merchants to fit out a privateering enterprise. Except for his fantastic reputation, Dana, who had known Sayre in his halcyon days, as the friend of Wilkes in London and the darling of the "liveried companies," might well have been tempted to use his knowledge of the affairs of the Baltic. But the warnings he had probably received from Franklin (who distrusted Sayre thoroughly) led him to use discretion in this regard. An unpublished letter from Dana to John Adams (in the Dana papers) proves that their relations while cordial were far from intimate. It also resumes the situation in which Dana found himself after his difference with Verac. This was written from St. Petersburg on October 11, 1871:

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[11] Wharton.

[12] *Ibid.,* quoting Bancroft Mss.

> This letter together with a packet for Congress will be delivered to you by Mr. Stephen Sayer (sic) who sets off from hence tomorrow for Amsterdam. He knows nothing from me about my business or affairs. Indeed I have had but little acquaintance with him, less than I shou'd have had, had he not been unfortunately confined by sickness almost the whole time I have been here. The account he will be able to give you touching the principal characters on the political stage here will be, I believe, nearly the true one. My hopes however, are much stronger than his. I think things are in a good train, and that we have nothing to fear but the influence of British gold upon a certain character to impede them for a while.

The "character" hinted at was the Empress' favorite Potemkin whose secretaries were all in the pay of Harris, the British Minister. This letter ended with an appeal for the advice and counsel denied the somewhat bewildered American agent in St. Petersburg.

> I shall expect you to give me your sentiments in return with your wonted integrity. I stand much in need of your friendly and substantial advice. If you find any opinions which are not just, correct them with freedom. You know me too well to suppose I shall not take this in good part. You will much oblige me by some account of matters upon your last tour. I want to know whether they wear the same aspect in that, as I have supposed them to do in this political hemisphere. These communications may serve to correct the notions of both of us, concerning them. When I have said

the Independence of the United States *was certainly* the basis of the first plan of pacification; I have not grounded my assertion upon the proposition of the Mediators.

Undismayed by the coldness of his reception Dana was now content to await developments while reporting the important news of his post. His interest in Adams' negotiations at The Hague led him to offer some frank advice to his former chief—now become a colleague of equal rank:

> I wish you may not find my conjecture about Holland true, and that she may be earlier prepared to do as she ought to do. Does not her political pendulum still vibrate between belligerent and neutral? I have indeed more hopes of her from the spirit with which the Regency of Amsterdam seem to be now supported. If you shou'd be called upon to negotiate a treaty with her (Holland), you will pardon my suggesting to you that the project sent to you is very defective.

For Adams' benefit he added a few details concerning his own situation—together with a long message for the latter's pusillanimous friend and hanger-on Jennings:

> I know your views are so direct, that you have the real interest of our Country so much at heart, that you can never be offended at the liberty I take, or consider it as an impertinent interference in your department. We were last separated too suddenly, and my mind was too much agitated by the weight of the business that lay before me, when compared with my abilities, to recollect these things which did not Immediately concern me. I am now more at ease, tho I feel the want of the gentleman's Company & abilities, who had flattered me that I shou'd face *dangers,* no, there were none in the way; but to dissipate his unpromising apprehensions. Pray tell him (for I have not time to tell him myself) that I have not once even in my dreams been troubled with the idea of being banished into Siberia. If my company is not welcome here, at least I shall be permitted to return to, the place from whence I came, without being compelled to go from thence

to the place of execution. He that attempts nothing will accomplish nothing. And if there is nothing dishonorable in the thing attempted, and some good may come out of it, why shrink from making it? Is a fear of being a little mortified by failing of success to deter one? If such personal considerations had prevailed everywhere, the grandest Revolution that has ever taken place in the World, cou'd never have existed. When I see such instances of indecision in Men of real abilities & worth, I think of an observation of yours, that no American however well disposed he may be towards his Country, and however sincerely he may wish it success, who had not been bred up in it, under the immediate influence, and the early perils of this Revolution, is fitted to be entrusted with the management of its important affairs. . . .

P. S. Your son writes you by this opportunity. Mr. T. must write me. Mr. De Neufville will give you my address.[13]

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[13] Adams Mss.

CHAPTER XII

A DIPLOMATIC LAOCOÖN

I

THE master-game of diplomacy is sometimes compared to the intellectual battles of the chess board. At the Court of the Great Catherine, the strategy of the more robust game of football also found a place. The shocks to which the Puritan envoy of the American Congress was to be subjected in his contacts with the officials of the Russian Court were soon to reveal how thin was the veneer of imported civilization that covered the customs of Muscovy. The Empress desired to impress upon the manners of her adopted country that stamp of European culture which Peter the Great had borrowed from the Occident, but the shaven *boyars* of Russia remained Asiatics at heart. Like Tartar magnates, they fought bare-handed over the spoils wrung from representatives of the European powers stationed at her court. From the latter the Empress might demand a strict adherence to the principles of the international protocol. But, as Dana soon learned, favoritism and blackmail played an important part in the routine of Russian official life—while bribery offered a "golden key" to every negotiation.

In our revolutionary diplomacy (in spite of Franklin's tactful appreciation of the immediate problems of the situation in France, and Adams' sturdy persistence in following the main objects of our foreign policy) any real understanding of the main-springs of European statecraft was too generally lacking. The instructions of Congress to its Ministers abroad appear even to ignore with intention all consideration of the delicate poise and interplay of interests and national jealousies that constituted the "diplomatic system" or "Balance of Power" in Europe. The overtures made to the courts of the continent for aid and assistance were generally grounded on the "justice" of our cause—or on the supposed indignation which the "Ocean Tyrant," our enemy, had aroused among the Powers by infractions of international law. This reliance on abstract principle was to be of very real advantage at a later day. But in the eyes of the chancellories of Europe, the arrival of our improvised revolutionary diplomats, speaking a language that seemed to mark a complete ignorance of the most open secrets of the diplomatic *Cabala,* was a source of amusement or of mystification.

In considering the outcome of Dana's mission to Russia, it is necessary to review certain factors completely ignored not only in his most secret instructions, but also by historians who subsequently attempted to unravel the complicated history of our earlier relations with Russia. To an extent scarcely credible at the present day, the outstanding factor in the diplomacy of the eighteenth century was the personality of the envoy. The potent cause of Dana's many difficulties at the Russian Court (although there is little evidence to be found among his papers to show that he appreciated this fact) was the presence in St. Petersburg of the British Minister, Sir James Harris.

The future Lord Malmsbury was still a young man and therefore capable of exercising his considerable personal charms upon the Empress. To such romantic influence she was always susceptible—and from the beginning Dana was forced to fight an uneven battle with this finished product of the first European Courts.

While Harris' worldly cynicism readily fathomed the motives that governed Russian policy, there is something pathetic in the persistent, respectful misunderstanding with which the austere and Puritan Dana viewed the diplomacy of Catherine and her *entourage*.

When in December, 1777, Harris had been transferred to St. Petersburg after serving at the legations of Madrid and Berlin, his experience had qualified him to understand—as far as they were understandable—the nature of the bonds and complicities uniting the "Courts of the North." He was also in a position to appreciate the deep resentment felt against England by the great Prussian King for the way in which he had been abandoned by the ministry at the end of the late war, and the effect of this prejudice at St. Petersburg, where Panine, Frederick's friend, was still supreme.

Faced by the united strength of the Bourbon Family Pact, with Prussia estranged by the treacherous diplomacy of Bute, with Holland divided by the machinations of a strong faction favorable to France—the diplomatic position of England in Europe had suddenly changed from preponderance to a precarious defensive. Her chief dependence lay upon a prestige—growing dimmer with every fresh check to her arms in America. Chatham's earlier aim of setting up a counter system to the house of Bourbon had been cleverly foiled by the diplomacy of the great Choiseul, Vergennes' predecessor. Only a diplomat of Harris' sanguine disposition could have seen in the situation any hopeful aspects promising success. Read between the lines of his own diaries, his mission was a long series of "humiliation, intrigue, bribery, and blunders" [1]—which only his resiliant adroitness saved from tragic failure.

[1] Kojouharoff.

II

When Harris arrived at the Court of the Great Empress, three years before Dana set out on his northern journey, there was still possible agreement between Russia and Great Britain concerning their naval policies. The two great empires had remained friendly during the years following the Seven Years' War. Viewing Russian naval ambitions with a kind of tolerant amusement, the Admiralty had allowed British officers and sailor adventurers to navigate the Imperial fleets during Catherine's earlier wars with Turkey. The latter power was left to its fate, and except for a warning to Russia that the balance in the Baltic required that the liberties of Sweden should be maintained, Catherine's dreams of commercial and naval expansion were abetted rather than restrained.[2]

When the fleets of Spain were joined to those of France under the terms of the "Family Pact," the British Cabinet turned to Russia as the one friendly power upon whose support they might rely to favor the integrity of the carefully calculated "balance of the European Powers." This had so long formed the basis of eighteenth century diplomacy that its preservation was a dogma—or fetich—to which even the diplomacy of Great Britain might appeal. Harris was instructed to sound Catherine's Ministers regarding "an offensive and defensive alliance." [3] He was disappointed to find that the Tsarina—influenced, as he believed, by Frederick the Great and his creature Panine—was wholly unmoved by the perils he pictured as menacing the "peace of Europe." Although treated personally with the greatest distinction, and enjoying the felicity of playing cards at Catherine's table every day, he was

[2] Hassall.

[3] Malmsbury.

soon forced to realize that she also "admitted the Bourbon Ministers to a greater degree of confidence than they should ever have enjoyed at this Court." [4] Even omitting the American colonies from the *casus fœderis,* he was reluctantly compelled to admit "there is no disposition to agree to our alliance, even on any terms."

It is a tribute to his perspicacity that Harris so soon became convinced that while the Empress was "gracious to me beyond measure" she was also attempting "by this extraordinary affability to mislead me." Yet he still clung to the hope that she was "as much English as Prussian," and was only held apart from Great Britain "by means we should reprobate to make use of." The French Minister, M. de Verac, arrived at a critical moment. Harris believed him to be "more amiable in company than formidable in the cabinet." Yet he feared, for the same reason, that he might "ingratiate himself with the Empress." Renewing his assiduities, a veritable battle ensued between the rival charmers—a struggle that soon divided the court into French and English partisans. French agents, he learned, were boasting that they were authorized "to spare no money," and had even "the wherewithal to buy Prince Potemkin." Such means "to unite this Court with France" were shocking to the British diplomat's sense of the proprieties! He still ventured to hope that the Tsarina had, herself, escaped the contagion of Tartar tribute. Even more disturbing to the prospects of the now much-desired Russo-British alliance was the matter (scarcely mentioned by Harris in his earlier dispatches) of "the pretended interruption we cause to neutral trade." The Armed Neutrality had been conveniently ignored by both Harris and the Empress in their earlier negotiations. It was at the height of his

[4] *Ibid.*

personal popularity at the Russian Court—when he believed his ascendancy over the fickle Tsarina most firmly established—that he discovered his mistake.

To suit his own purposes Harris adopted in his dispatches the theory that the "new system" of maritime law in which the Empress now took pride was the outcome of an ignoble rivalry between her favorite ministers Potemkin and Panine. From the beginning of his mission, Harris had realized that under a veneer of "dignity and decorum" the morals of the court had "Russianized" its Imperial mistress.[5] With advancing age Catherine had thrown off the restraints of decorum. The Prime Minister (Prince Potemkin) had preserved his influence over the Empress, long after he had ceased to enjoy her more personal favors. With unmatched cynicism he now aimed to control the choice of his successors, younger men whom he chose not only for their physical charms but also for their complete mental incapacity. His conduct of public affairs was largely confined to combating the intrigues of the opposing clique at court, who occasionally ventured to put forward their own candidates for the semi-official office of *"favorit en titre."* At the head of this opposition was Prince Orlov, another ex-favorite, while a slightly more reputable statesman, Count Panine, the Minister of Foreign Affairs, generally seconded his efforts. In this ignoble struggle for power Potemkin seems to have been the more artful and successful purveyor to Catherine's pleasures. Harris, while cultivating the good graces of both parties, placed his chief reliance on this "friend." No more curious official correspondence exists than the exchange of dispatches and instructions between the British Minister and his superiors concerning these delicate matters. Stifling his sense of outraged propriety, Harris discusses the best

[5] Renaut.

means of attaching to the interest he served men "so munificently provided for by their Imperial mistress that it is impossible ever to catch their attention by any pecuniary emoluments however considerable." Convinced by experience that Potemkin was "uncertain," and Panine "beyond the reach of corruption" because "too well paid by the Prussian King,"[6] the bewildered English Envoy was gradually led to use the inevitable "Golden Key" in an attempt to approach the throne itself.

The Empress, he still believed, was pro-English at heart—yet Verac's favorable position grew stronger day by day. Harris could "not account for it." The mystery was made deeper by the fact that in an unanswerable "Memorial"—made as entertaining as the subject would allow—he had pointed out to Catherine an inescapable result of a successful revolt by the colonies; a new rival for the Russian trade in "hemp, pitch and timber," he argued, would arise overseas. Eighteenth century diplomacy was actually beginning to concern itself with trade!

III

"The friendship of this country," wrote the distracted Harris, "partakes of its climate—a clear brilliant sky with a cold freezing atmosphere . . . all words and no deeds; empty profession and shuffling evasions." The opening of the fateful year 1781, while his unconsidered rival, Dana, was preparing to set out on his long journey to Catherine's Court, found Harris filled with foreboding. "The infection of the French cabal," he believed to be spreading "throughout Europe."[7] From his diplomatic conversations with his faithful, but now expensive, friend Potemkin, he occasionally gleaned some crumbs of comfort. The latter reported that "as to the balance of power" the Empress was determined that she "never can see with indifference any essential aggrandizement or essential diminution of any European state." Although the "Great Favorite" earnestly asserted that this somewhat mathematical formula of balancy included "her disapprobation of the independence of America," his client found some difficulty in sharing this view.[8] Panine was advising peace on terms that would "meet the ideas of *all* the belligerent powers," pointing out that "even in a naval war" Great Britain could now be matched.[9] Another ominous sign was the diplomatic *entente* that had resulted from the visit to Russia of Joseph II, the Holy Roman Emperor. This Harris feared not only foreshadowed "a treaty of defensive alliance and reciprocal guarantee" with Austria, but also "a proposal of co-mediation . . . to which France and Spain have already consented." The "shuffling evasions" of which Harris complained were fast becoming definite proposals concerning a situation wherein even uncertainty was preferable to open assertions of the unpalatable truth.

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[6] Malmsbury.

[7] *Ibid.*

With the accession of the Dutch to the "Neutral League," the unfortunate Harris had felt the diplomatic coils tighten about him. With an eye to the future, he wrote again, complaining to London of "the height to which corruption is carried in this country": the French, Dutch and Prussian Ministers had been "most profuse." Courtiers remotely important like "two first cousins of Count Panin" had been furnished with money "to purchase houses." For the diplomatic *coup* he was meditating the greatest delicacy was necessary. Even that cynical product of the diplomatic morality of the time, Lord Stormont, must be gently prepared.[10] The dangers and discredit of the tortuous course Harris was about to adopt was but too evident to its author—at heart an English gentleman.

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[8] *Ibid.*

[9] *Ibid.*

But England's isolation now called for some remedy —however desperate. Catherine's rôle as Mediatrix had been definitely accepted by France and Spain. However distasteful to British aims, her plans of a "new system of sea law" and the principles of the Armed Neutrality must now be accepted as an outstanding factor in her policy. These ends were pursued with an idealism but the more intense because of personal ambition. The Tsarina's irregular conduct had blinded Harris to much that was statesman-like in her policies. He erred in thinking (because her views now failed to suit the purposes sought by his own court) "that this great Princess is sunk into an ordinary woman at so critical a juncture."[11]

The idea of turning Catherine from her duties as Mediatrix seems to have occurred to the British Ministry and to their Envoy in Russia at about the same time. In the guarded language of Stormont's dispatch this pretty business was described as the offer of "some object worthy of her ambition . . . that would engage the Empress to conclude with His Majesty an alliance . . . assisting us *totus viribus,* against France and Spain and our revolted Colonies."[12] Yet even dubious Latin and the enveloping formulæ of eighteenth century diplomacy were incapable of throwing a becoming light on so shady a matter. The transaction sought was a bribe, the more difficult to offer for the reason that the party to be corrupted was a woman indulging in a flight of high political idealism!

What Stormont euphemistically called the "root of the business" was now bluntly set before Harris: "His Majesty, after taking the opinion of his confidential servants, has empowered me to authorize you to mention the conditions upon which alone such an important cession may be made: The Empress of Russia shall effectuate the restoration of peace between Great Britain, France and Spain, upon the following terms, viz: The treaty of Paris in 1762 shall be the basis of the treaty to be made . . . the present *uti possidetis* shall be the rule. . . ." An "express condition" was to bind the French King to ignore the terms of his American treaty. Louis must be summoned to evacuate "immediately every part of the British Colonies in North America," and the stipulation was further to be insisted upon that "His Majesty's rebellious subjects" were never to be "suffered to treat through the medium of a foreign power." [13] The Tsarina was thus invited not only to betray her trust as a mediator, but to impose an equally disloyal action respecting his American allies upon His Most Catholic Majesty.

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[10] *Ibid.*
[11] *Ibid.*
[12] *Ibid.*

IV

High diplomacy sometimes resembles farce rather than drama. The fastidious British Envoy, driven by his country's necessity to resort to the very measures he deplored in the customs of a barbarian court, was a figure at once pitiful and ridiculous. Yet Harris had prepared his difficult task with skillful precaution. Prince Potemkin, his supposed friend, rather than Panine, was chosen as a means to approach the Mediatrix. The "cessions," hinted at in the general interest, were, of course, to be made "for the sake of the balance of power of Europe in general." This done (and enjoying a brief illusion that the favorite had "caught with eagerness at the idea") he unfolded his ingenuous plan. A "Sugar Island" or some other foothold in the American Indies, he insinuated, "might gratify the Tsarina," and doubtless commit her to new views upon the rights of Colonies. Potemkin, knowing the capabilities of Russian sailors, expressed a doubt whether Russian ships had best attempt to cross the Atlantic, and suggested something "nearer home." If Minorca could be obtained, he believed that he "could lead the Empress." His Slavic imagination saw in this acquisition "a column of the Empress' glory erected in the middle of the sea." [14]

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[13] *Ibid.*

But, as Harris was soon to be made aware, Catherine's ambitions were already fixed upon a greater "glory," compared to which, even the sovereignty of Minorca would appear but a minor jewel in her crown. An alliance with Austria, the outcome of her diplomatic flirtation with Joseph, was fast assuming form and substance. This outstanding readjustment of the European situation linked the Armed Neutrality to a system of policy long followed by the Russian Tsars. Behind the new *rapprochement* loomed a grandiose project—nothing less than a revival of the old Roman systems of the "Empires of the East and West." To join the Holy Roman Emperor in exercising his ancient prerogative of Mediator between the warring princes of Western Europe was to strengthen Russia's claim to exercise similar powers in the East. This Byzantine dream of power had captivated Catherine's imagination, and to its acomplishment all her efforts were now directed. The "Co-mediation," so dazzling in its implications, raised her above all temptation.

To the pained surprise of Harris, the Empress also ventured to doubt the good faith of British promises. *"La marié est trop belle, on veut me tromper,"* she wrote to Potemkin. The favorite's levity was also disconcerting; Harris could only learn of the effect of his offers by renewed largess. After an agonizing pause in this strange negotiation, it at last became evident that Catherine suspected the British offers were but intended to "draw her into the war." To Stormont he now wrote in some agitation: "I have left nothing in writing with either of them." But the task of communicating the Tsarina's reply in a form that could be transmitted to a very self-righteous and self-respecting British King was enough to tax all his diplomatic skill. His long dispatch of March 24, 1781, reveals in every line the difficulties of the situation. Her Imperial Majesty was "extremely sensible of the friendly offer of the Court of London." Yet her answer written "in her own hand, apparently often corrected," was "disappointing." Although he failed to enlarge upon the matter, it made very unpleasant reading. It was, indeed, to the effect that "as long as she is employed as Mediatrix," the Empress felt that "His Brittanic Majesty must be sensible that she cannot with any propriety, enter even into an eventual Convention with him, since, as the object of this convention must sooner or later transpire, it would appear on some future day, as if she had during the Mediation, been influenced by one of the belligerent powers."[15] The business gained nothing by being thus set forth in its true colors. Even embedded in the phraseology of a dispatch further enlarging on the depravities and venalities of the Russian administration, Harris could not conceal the ugly truth. His attempt to bribe the Empress had been contemptuously refused—and for motives he could only approve as an honest man. When the matter was later "betrayed" by the Tsarina to her Co-mediator, the Emperor, the unfortunate purveyor of Sugar Islands again wrote complaining of such "notorious conduct." He appealed to the judgment of the "most candid mind" regarding the injustice of his "deception." Had Dana on his arrival been able to capitalize Catherine's indignation over Harris' diplomatic blunder—he might immediately have established his position at the Russian Court. Unfortunately for his purposes, in the absence of instructions, his hands were tied. The mediation, in the opinion of the American Commissioners, appeared as objectionable and dangerous to the cause of the colonies as it appeared ruinous to British prestige in the eyes of the Envoy of King George.

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[14] *Ibid.*

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[15] *Ibid.*

CHAPTER XIII

THE ENCHANTED PALACE

I

IN an earlier dispatch to the British Foreign Office Harris had reported the arrival in St. Petersburg of "Silas Deane," an "American agent." But in spite of this somewhat elaborate carelessness towards Dana, he had not failed to protest to the Russian authorities against the latter's recognition "in any capacity." The reply of Bezborodko, the Secretary of the College of Foreign Affairs, was to the effect that "Silas Deane could not employ his time more uselessly than by remaining in her (Catherine's) dominions," and that "Her Majesty never would hear of any proposals coming from the quarter of the rebels." He further volunteered the significant statement that no one of her subjects "would even dare to convey such proposals" to the Empress. This allusion should be considered at something more than its face value, in view of the corruption fund at the British Minister's disposal. It was a plain intimation that Harris was receiving service for his generous outlay of bribes. Harris, in turn, locked his own secretaries in the chancery when preparing secret dispatches "to keep them from temptation." [1]

Although the effect of the American struggle on the European "Balance" was possibly exaggerated by Dana and Adams in their appreciation of the situation, there is much evidence to prove that Catherine's prejudices were deliberately kept alive not only against

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[1] Malmsbury.

Dana but also concerning the possible effect of his mission on her own rôle as Mediatrix.[2] The conduct of foreign affairs—except for a few matters that the Tsarina kept in her own hands—was largely left to the discretion of her underlings. Factors of the most venal nature rather than State policies determined every situation. The disillusioned Dana, as he wrote to Adams, had now to set himself to the task of learning "something of the policy of friends and foes at this court."

Potemkin, having ousted the more reputable Count Panine, was for the moment supreme. The former, who had based his astonishing career upon the degradation and moral weakness of his Imperial mistress, controlled every department of the government. His creatures, jackals like Bezborodko and Ostermann—carried out his orders and shared the bribes which alone made the conduct of official business possible. In the official correspondence of the French Minister with Vergennes a curious side light is thrown upon the men and manners of the Russian Court. These reveal the difficulties which beset a negotiator like the "American Agent," still unversed in the manners of Russian statecraft.

Panine, upon whom Dana had counted for support, and who was probably the "friend" referred to in his correspondence with Adams, is the subject of the following official portrait by Verac: "Count Panine on account of the alarming condition of his limbs, never arises before two o'clock in the afternoon. The period between half past six and seven in the evening is the only time when he consents to treat of public affairs and the state of his health always gives him an excuse for postponing any positive answer." [3] This picture of the man upon whom the American Agent had placed his hopes is confirmed with amusing exactitude by Harris who reported to the Foreign Office as follows: "You will perhaps not believe me when I tell you that out of the twenty-four hours Count Panine devotes but half an hour to the public matters with which he is charged."[4] The rest of Panine's time was spent, according to another observer, "with women, at table and in gaming; from sleeping and eating inordinately his body is a mass of fat." . . . Indeed it was only "with the help of two valets that he could be taken from his bed and set upright." A fact that may have escaped Verac and Harris is, however, noted: "Three hours after midnight he withdraws and with Bakounine, Chief Secretary of the Foreign Office, and works until five." Such was the man who until shortly before Dana's arrival in St. Petersburg had been charged with all the foreign policies of the Great Empire. A former French Envoy had judged him to possess but a single virtue, "incorruptability," adding, "He is the only Russian enjoying this reputation."

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[2] Waliszewski.

[3] *Ibid.*

It was probably from Panine's entourage that the earlier hint that an American envoy might be received at court had emanated, and his eclipse was an unlucky event that seriously impaired Dana's usefulness.

Yet even in his disgrace and quasi-exile the ex-Minister was allowed to retain an important influence on foreign affairs. He was held in reserve by the Tsarina, who wisely refrained from yielding herself to the exclusive control of Potemkin.

The Count's downfall was due to her own vanity. Panine had unwisely assumed too much credit for developing the enlightened principles which had caused Catherine to espouse the wrongs of neutrals. This was now the Empress' favorite "policy," the latest "glory" she desired to attach to the history of her reign. Panine's unlucky friendship for the Grand Duke Paul, the unpopular heir to the throne, had also served to place him out of favor at this crucial time. His influence, all powerful during the early days of Catherine's reign, had paled before the irresistible star of Potemkin—a misfortune of whose extent Dana was yet unaware.

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[4] *Ibid.*

In this battle of courtiers and favorites the Puritan Dana played the part of a bewildered spectator. Potemkin—Harris' costly ally—was pro-British because his rival, Panine, was devoted to the German interest. This amazing charmer (whose right eye had been destroyed in a scuffle with a rival "favorite" while the remaining orb was afflicted by an abominable squint) ruled the lovelorn Catherine by the force of old associations. The strength of an iron will supplied even the place of intellect. Barred by his own impudent infidelities from the Imperial alcove, he had actually imposed upon the Tsarina a successor of his own choosing—the mild and unassuming "beauty," Landskoi. To the "education" and amusement of this docile favorite much of the Empress' time was now devoted to the exclusion of more serious affairs.[5] His reign, which corresponds with the period of Dana's mission, revealed a new weakness in his Imperial mistress. For the first time in her long succession of *amours* Catherine was to become entirely preoccupied by her attentions to a man wholly incapable of playing a part in public affairs. To his health and pleasures she was willing to sacrifice even her own love of glory, and the ambitious plans which had filled her scheming mind but a few months before. The *age dangereux* had commenced.

II

The hidden springs that moved the complicated machinery of the Russian Court—so carefully studied by

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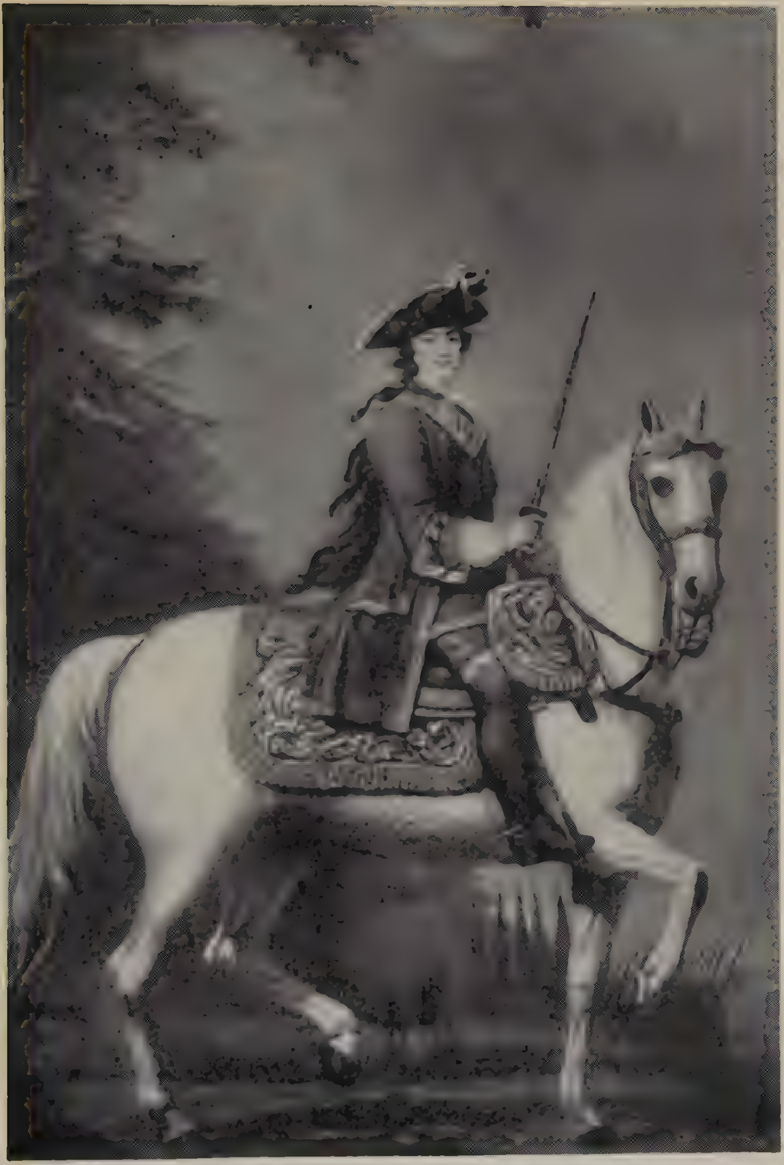
[5] Waliszewski.

Harris and recorded in his entertaining diary—seem to have been respectfully ignored by Dana.

The account which the American Envoy so conscientiously kept of the happenings of his long journey to St. Petersburg ceases abruptly with his arrival. No record of his daily adventures—or of the scandal and rumors that filled his rival's correspondence—has survived. The official happenings that marked his life in the Tsarina's capital were the only subjects of his long and conscientious dispatches. It is to be regretted that the future meticulous diarist, his secretary, young "Master Johnny" Quincy Adams, also failed in this respect. The latter, indeed, barely refers to this northern journey (in contrast to the full and vivid account of his later stay as minister at the court of Catherine's grandson, the mystical Tsar Alexander). We are not even informed whether the Americans were permitted to view, even from a respectful distance, the great Empress whose personality was an object of interest to America and all Europe. Yet Catherine, who was the principal "sight" of her capital, was in no sense inaccessible. Many young gentlemen making the *Grand Tour*—then an essential part of every aristocratic education—were received at court, and often entertained more privately by the Tsarina. It is therefore to be inferred that even the unrecognized American Agents were allowed to gaze upon the Presence. It is probable that the plainly dressed, Puritanical figure of Dana was not infrequently viewed by Catherine herself as he moved about the streets of her capital on the ungrateful business of his mission.

Catherine the Great appears to have been as protean in person as in her talents and foreign policy. She has been described as "tall and dominating," while a more careful historian records that she was "undersized and inclined to embonpoint." Her eyes have been pictured



CATHERINE ON HORSEBACK

with equal positiveness as "blue" or "brown." It appears certain that she had "beautiful hair and eyebrows" and "a noble carriage, a regular mouth with fine teeth." Her nose (which had figured in the matter of the American corsairs) was aquiline, and carried "high." For her own part she asserted, "I am not good-looking, but I know how to please, which is my strongest point."

In her diplomatic contacts Catherine made the most of her personality—and, it may be added, of a talent for dissimulation that would have made her fortune on the stage. Of vanity she possessed not unnaturally more than a share, and Harris, the English Envoy, believed the most valuable advice given him by Potemkin was the counsel, *Flattez-la*. In any part she desired to play, Catherine always carefully prepared her *mise en scene*. Even her prodigality was calculated, and intended to impress.

In his first letter to Adams, the American Envoy had described his new post in terms of admiration that reflected more than his relief at arriving at his long journey's end. The spectacle St. Petersburg presented to Western eyes was substantial enough in many of its aspects. Yet the general effect was somehow unconvincing—a mingling of diverse elements, lacking in character because every non-European element was vigorously excluded. Its costly grandeurs were best viewed from a distance. Closer acquaintance revealed that its palaces were mostly unsubstantial structures of brick and stucco. Whole quarters of the town—even those inhabited by the richer merchants—were given over to mere barracks of wood and frame.[6] The glorious lagoons of the Neva, still bordered by muddy quays and dykes, received the drainage of the open sewers, and a characteristic smell permeated the capital of the "Semiramis

[6] *Ibid.*

of the North." Such a residence left much to be desired by a New England traveller accustomed to the already substantial comforts of a colonial American town.

Catherine's favorite residence, when she honored the capital with her presence, was the Hermitage Palace. This pretentious structure had been remodelled to suit the needs of the somewhat casual court functions in which she delighted. Besides a picture gallery (which contained a curious and impartial assemblage of masterpieces and spurious antiques) rooms were provided for assemblies and card-playing. The most admired feature of this Palace-Casino was a huge "Winter Garden" covered with glass, wherein flowers, shrubs and even tropical trees were set out in profusion. In the branches of this artificial forest parrots chattered and canaries sang in a deafening chorus, drowning the rowdy uproar of the assembled courtiers. If the Empress' refusal to receive Dana in an official capacity shut him out from participation in these scenes of her official pleasures, the court's ceremonies must have been a familiar spectacle. Standing with his young secretary at the window of his modest hotel, he must often have seen the court coaches, "veritable moving houses," jolting through the streets when the Sovereign moved abroad, preceded by her "Gentlemen Body Guard," in their uniforms of "blue cloth with red facings, silver cuirasses embossed with the Imperial eagle, arms and legs covered with plates of silver mail." Had Dana and Adams cared to join the procession as it turned into the portals of the Hermitage, it is probable that no obstacle would have been put in their way. The outer reception rooms were "always in a noisy disorder, and any one claiming a military title, or with a sword at his side, was admitted to the throne room." Even the court coachmen ranked as lieutenant-colonels, and the assembly can hardly have been either select or difficult of access.[7] From the diplomatic memoirs of the time it appears that the greatest informality was encouraged and "no court dress was required for Russians."

A certain state and display was, however, rigidly imposed upon all foreign representatives. This was an expense which, in the condition of his official finances, Dana must have rejoiced to be spared. In contrast to the niggardly allowance made by Congress, the Swedish Ambassador was provided "in addition to a salary of twenty thousand rubles a year" with "a maintenance fund of four thousand five hundred rubles a month." He was furnished, besides, with plate for the "open table" that all Ambassadors were supposed to provide for the Tsarina's hungry courtiers. His diplomatic household consisted, besides *officiers de parade,* of "four to six Aides de Camp, a Secretary, and three Assistant Secretaries." The latter presumably aided him in the more practical business of his Mission. He was expected to occupy a house which he plaintively described as "finer than any in Stockholm." Thus Catherine's refusal to place the American Envoy upon a footing of diplomatic equality with the representatives of the other powers at her court was not without advantage. The soberly dressed republican would cut but a strange figure among these colleagues of the diplomatic corps.

As an earlier letter shows, Dana was largely dependent at this time on his own pecuniary resources. From St. Petersburg on December 17, 1781, he wrote to Adams in a tone that reveals the actual discomforts of his situation:

> I have been long waiting with great impatience to hear directly from you; my disappointment has been owing in

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[7] *Ibid.*

part, without doubt, to your late illness, from which I hope you have entirely recovered. This climate agrees very ill with my health; for more than a month past I have been almost constantly visited with a very severe headach; perhaps it is to be attributed in some measure to the stove fires, of which I have given a particular account in my letter to Mr. Thaxter.

Moreover, the early months of the Russian winter of 1781–82 were marked by what Harris describes in his diary as "an epidemical distemper" to which he gave the "new medical title influenza." The thermometer hovered between "twenty and thirty degrees below zero," and in the empty frozen streets of the capital "an entire suspension of business" was noticeable.[8] The time was appropriately chosen for a revival of the rumor that the Empress—already tiring of her European plan—was now anxious to resume her old projects for Eastern conquest. An ice-free port on the Black Sea and a renewal of the Turkish war in concert with Austria occupied her attention to the exclusion of the affairs of the Mediation—not to mention those of remote and troublesome American "colonies."

III

The extreme frugality with which Dana's mission was to be carried out would in itself explain his earlier lack of success—and the isolation in which he found himself. In 1781 the major issues of Russian policy having been decided, Potemkin's efforts were directed—with Catherine's entire knowledge—to extracting the last *kopek* of foreign tribute he could exact from the diplomats at her court. The previous spring had witnessed the astonishing spectacle of an heir of the Austrian Emperor's stooping to solicit his "good offices" by costly "presents." To the Puritanical Dana this hidden *leit*

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[8] Malmsbury.

motif of the Russian Court long remained a sealed book of unholy knowledge. Perhaps no more incongruous task than that of evaluating such imponderables was ever imposed upon a son of New England.

While Harris, forced to such lavish means by his earlier failures, used his golden key to penetrate into the intimacy and confidence of the Foreign Ministry, Dana and even Verac were obliged to depend upon Potemkin's worthier, if less successful, rival. The veteran Panine was, however, only allowed to control matters of official routine.

Count Ostermann, a German diplomatic adventurer, with the title of Vice-Chancellor, had recently been given charge of all matters that failed to interest Potemkin. The respectful tone adopted by the American Envoy towards Ostermann must have been highly edifying to his colleagues. The following description of his person and the place he occupied in the Russian Foreign Office is from the pen of a contemporary: "The poor Vice-Chancellor," wrote Ségur, Verac's successor, "knows nothing of foreign affairs. . . . He is, however, versed in the official jargon of the chancelleries, wears his powdered wig with dignity, as well as the rest of the necessary accoutrement of a courtier." He made, in short, a plausible figure to parade before the Diplomatic Corps in the fine coaches of the Foreign Office. This opinion of his capabilities was shared by Baron d'Albedyhll, the Swedish Chargé d'Affaires, who has left interesting memoirs of the personages at Catherine's Court.

The real business of the Foreign Chancellory was carried on by a far less decorative personage, the "Foreign Secretary" Bezborodko.[9] Although his name appears but once in the course of Dana's correspondence, the influence this personage is known to have exerted upon Potemkin and the Empress makes it appear probable that (so far as any reasoned policy entered into Catherine's treatment of American affairs) it was this subordinate who directed the subsequent negotiations in which Dana was concerned. A short sketch of this bizarre official explains many of the American Envoy's later difficulties. He was a Russian from that most Bœotian of Russian provinces, the Ukraine. Almost a peasant in appearance, he was endowed with an extraordinary capacity for work. According to Verac this rare talent did not exclude an abnormal thirst for dissipation.[10]

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[9] Waliszewski.

A well-authenticated anecdote is told of the event that first brought this useful subordinate to the attention of the Empress. Called by some sudden emergency to the palace, Bezborodko, who was acting as Catherine's temporary amanuensis, was found by her messenger in a tavern, quite overcome by his not unusual state of drunkenness. Recovering a few of his scattered wits he immediately ordered himself carried home, where he was bled by a physician, bathed in ice water, and dressed in court uniform by his servants. On appearing before the Empress she suddenly demanded the text of a long *memoir* upon the composition of which he was supposed to be engaged. Without a tremor, Bezborodko drew from his pocket a bundle of papers from which he read, without halting, for some time. Highly satisfied with her Secretary's performance, Catherine now made the somewhat unusual request that the papers be left behind for her own consideration. To her surprise the unfortunate man, white and trembling, threw himself at her feet, at the same time placing in the Imperial hand a sheaf of papers—absolutely blank. This extraordinary example of Bezborodko's powers for improvisation the cause that had brought about his predicament amused the Empress. She not only forgave the escapade but also promoted him to constant attendance about her person. It was even suspected that honors of the most intimate character were enjoyed by this low-born but dexterous official.

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[10] *Ibid.*

Such was the court of the Great Empress, as it presented itself to those members of the narrow diplomatic circle in St. Petersburg whose position enabled them to penetrate the outer veneer of European "culture" covering ways and manners essentially Russian. For Dana it required many months of bitter experience to realize that honesty of purpose and high-minded argument were as wasted upon such officials as though exercised upon the chieftains of some savage tribe of his own Western prairies.

IV

While the American Agent (reduced to insignificance by his transparent incognito) sought recognition from even these minor officials, an event of the first magnitude now changed the aspect of the military situation in America. Dana soon had reason to hope that its effect upon his own mission might even offer a solution of the principal difficulties of his country's problems. To Adams he wrote:

> We receive the great news of the surrender of Ld. Cornwallis and his army on the 2nd inst. Thus the very first rational plan which has been formed, has been happily crowned with the most ample success. The world in general must now see that nothing has been wanting to destroy the whole British Force in America, but the proper direction of that of their Enemies. There is no saying yet what impression this great event may make here. The consequence in America, I think, will be the evacuation of Charlestown & all the British posts in Carolina, which will not only set that State free, but Georgia also. The British will not hazard such distant posts another Campaign; besides, they will want to strengthen

their principal post New York. *That* they will hold till the last moment at every hazard. But what think you of Peace—has this event brot it nearer? Will the British now think that France means seriously to cooperate with the United States? And will this conviction seriously incline the British Cabinet to Peace? To give you my own sentiments, I think they will still effect to brave it out. I hope indeed they will. Our time has not yet come. The coming to the Continent of Ld. Mansfield with his whole family, as is said, is matter of speculation. Has his Lordship who has been the chief adviser of this wicked war, out which indeed a great good has come, now stepped forth as the Harbinger of Peace? Or has his sagacity foreseeing this capital event of the total loss of a second British Army, taught him to dread consequences fatal to his person & connections & to try to fly from them?

To an envoy less modest and exacting than Dana the inattentions of the Russian authorities might well have been a source of chagrin. He had only been noticed by the diplomatic corps—when it became necessary to thwart his plans. He had suffered for his country's dignity. But, even in remote St. Petersburg, the defeat of Cornwallis was regarded as an event of the first magnitude. The manner in which the "American Agent" was treated by his colleagues sensibly changed. The British Minister Harris was notably affected. To Stormont he wrote that he had anxiously studied "the countenance of the Empress" as she came from church and drew conclusions that "the present disposition of this Court is unfriendly to Great Britain." [11]

The Minister of King Frederick of Prussia, suddenly becoming aware of Dana's unrecognized presence, graciously communicated to the American a letter from his Master, emphasizing the new military importance of the situation. The First Soldier of the age wrote:

Je ne veux pas vous laisser ignorer la grand nouvelle qui a été apportee le 19 9bre. a Paris par le Duc le Lauzun, savoir

[11] Malmsbury.

que les corps combines des François et des Americains sous les ordres des Generaux de Rochambeau, de la Fayette et de Wainn (sic) ont force le General Cornwallis de se rendre le 19. 8bre. prisonnier de guerre avec tout son corps consistant en 6000 hommes, et que le Chef d'Escagre de Barras evant que de joindrd le Comte de Grasse aboit pris chemin faisant un Vaisseau de guerre Anglais, eux Fregates et un Convoi de 60 Clinton l'étoit embarque le 12 8bre. avec 6000 hommes sur la flotte Angloise pour aller degager le General Cornwallis, mais il sera venu trop tard et il s'agit a present de voir s'il aura pu retourner à New York sans etre entame, et s'il pourra s'y soutenir lengtems contre les forces reunies des François et des Americains sans subir le sort du Lord Cornwallis.

Although the part assigned to Washington at Yorktown and the spelling of that hero's name must have surprised and pained Dana, the judgment of Frederick the Great upheld his own thesis that the fate of the British cause in America turned upon the preponderance of French sea power. Had Catherine now been inclined to throw the maritime strength of the Armed Neutrality into the scale, the position of Great Britain would have been desperate indeed. Dana had long since abandoned hope that any such event (entailing the destruction of the entire fabric of the European balance of power in favor of the "Bourbon combination") was contemplated or desired by the Empress. He nevertheless felt that as a logical outcome of the situation his own negotiations might be greatly forwarded. This view he now hastened to communicate to John Adams. Referring to the Prussian monarch's letter, he wrote (January 11, 1782):

. . . I was very soon favored with a copy of this account. But this sub rosa. It seemed to make a lively impression here among those who are our Enemies, and they are exceedingly crest fallen, and they have good reason to be so. The British Nation has fallen indeed, never to rise again, as Woolsey said of himself. As to the speech &c. of the British King, their

> contents have not surprised me; they are exactly such as I expected, and serve but to confirm the opinion I have entertained of that persistancy, obstinacy, and cruelty with which he has resolved upon, and pursued the war in America. Indeed had peace been his sincere wish, perhaps his language wou'd not have been very different. But of that he will never entertain a sincere thought till his own subjects roused by dispair, make his Throne tremble, and his Crown totter on his head. What think you of the resolutions of London, Westminster, & Southwark to petition the King to put an end to the war in America? . . . I hope you will not fail to send me by the *earliest* opportunity some account of every event of importance which may take place in our Country. I shou'd have been much gratified to have received from your hand the account of Cornwallis's Capture by the first post. As it happened, even the French Minister had no account of it till several days after it had come in the way I have mentioned. You know what an awkward situation this places one in.

In another paragraph Dana pays tribute to the services of young John Quincy Adams. His father must have read with pride that this diplomat of fifteen was already indispensable to his chief:

> I have found myself exceedingly out of health for a considerable time past, much afflicted with severe pains in my head, and an almost constant dizziness. Writing much is therefore very detrimental to me, yet I cannot avoid doing it. You must excuse me therefore if I am not so punctual a correspondent as you might expect. I hope your own health is better established by this time. My ward is not troublesome to me. I shou'd be unhappy to be deprived of him, and yet I am very anxious about his education. Here there are neither schools, instructors, or Books. A good Latin Dictionary is not to be got in the City. Had he finished his classical studies I shou'd meet with no difficulty in his future education. I wou'd superintend & direct that in the course you wou'd choose & point out. I cou'd not indeed do without him unless a certain person cou'd replace him; and you will find by what is said above that it cannot be made worth his quitting his present station. . . .

V

Any hopes that Dana may have founded on these military successes were soon dashed to the ground by an event characteristic of the Empress' Court. A few weeks after Dana's arrival Catherine quarrelled openly and furiously with the "Great Favorite." The simultaneous disgrace of both Potemkin and Panine was disastrous to all new business. In spite of their inabilities these two worthies were the only officials capable of rousing the Empress from her growing distaste for anything beyond the pursuit of her pleasure. All foreign negotiators were faced by an undesired *status quo*. A few months before the statesmen of two continents had believed the scales of European power to be firmly held in the hand of a great sovereign. Now all parties to the great European quarrel saw with apprehension that the Empress' chief solicitude was an ignoble passion for her favorite Lanskoi. All public business waited on his health, which gave cause for serious alarm. Meanwhile her chief Minister, striving to regain power by the choice of some new bedfellow for the Tsarina, relegated all other matters to a secondary plane. The diplomatic dispatches of the time are full of portentous rumors respecting this crisis of "alcove politics." It was solemnly reported by Harris to his government that "The man sought" must be content to employ his station "in heaping riches on himself and his family" rather than "in the guidance of the political system." [12] Both Harris and Verac were content to adopt a policy of watchful waiting rather than to fish in the slimy waters of such a pool of intrigue. There is little wonder that the austere Envoy of a Congress that still saw in Catherine a "wise and virtuous Princess" was content to mark time. Dana allowed himself to subside into a state of puzzled, and probably, well-chosen inactivity. Even efforts to secure the due recognition of his diplomatic status were postponed. Yet in all these matters Dana saw no reason to despair of ultimate success. On January 11, 1782, he reported concerning the situation in a letter to Adams (omitting of course all reference to the matters which now filled Harris' more frivolous correspondence):

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[12] *Ibid.*

> We shall have no general negotiation for a peace suddenly, and I suppose that at present on foot between Holland and Britain will soon vanish away. Had Great Britain been wise for herself perhaps she shou'd have acquiesced in the propositions made by the August Mediators. Her feelings were as tenderly treated as the nature of the case cou'd possibly admit. All the world must have long been convinced that Britain has forever lost her Dominion over every part of the United States. Those propositions were therefore calculated to let her down very gently, but she has obstinately and haughtily rejected them. I did expect that this rejection wou'd have induced the illustrious Mediators to have proceeded further, and with less ambiguity in favour of the United States; and that it might have issued in a general agreement of the Neutral Confederated Powers to declare them a free and sovereign State: and to open their ports to America, without further regard to the chimerical pretensions of G. Britain. If she had presumed to regard this as an Hostile Act, the Confederated Powers wou'd have nothing to do to bring her quick to reason, but to turn the key of the Baltic on her. Just and Feasible as such a procedure wou'd be, for some reason or other, the Mediators seem to have come to a stand, perhaps they may think G. Britain will herself be presently obliged secretly to solicit the very Mediation she has just rejected, and to save her honour wou'd be glad to see the Neutral Powers united in a manner to compel her to peace by a tacit acknowledgement, at least, of the Independence of the United States. We must wait patiently and see what the event will be. Our Independence is now laid on a Rock.

Meanwhile from Amsterdam (December 14, 1781) Adams had written a letter to Dana which shows the difficulties of communication between Holland and Russia:

> The publick News from America, you have before now. It is grand, and I congratulate you upon it, with a grateful Heart. Our allies have this Year adopted a System, which you and I have long prayed for, and have cause to be thankful for its triumphal success. Soon after my Return from Paris, I was seized with a malignant nervous fever, which well nigh cost me a Life. The consequences of it are not yet gone off. Still weak and lame, I am however better, but almost incapable of that attention to Business which is necessary.

CHAPTER XIV

THE ROAD TO GLORY

I

ON March 3, 1782, Dana wrote to Lafayette in answer to a letter which the young Marquis had written to the exile from the midst of fêtes and celebrations in Paris: "I think at present we have no reason to imagine that the illustrious Sovereign of this Empire is disposed to be our enemy, yet it is not to be expected that she will suddenly manifest a particular friendship for us." From the depth of bitter experience he sagely added that "America must be patient," and that the best method to secure her ends was "to procure friends."

In the diplomatic system that Catherine was pursuing the American revolt was now but an irritating incident. The obstinate determination of the rebels to secure recognition was but delaying the glorious outcome of the European Congress—and the pageantry of Mediation upon which her heart was set. Dana now realized how mistaken were the hopes entertained of her "liberalism" by the American Congress. Even her earlier enthusiasm for a new code of sea-law—widening the field of the colonial revolt against Great Britain to include the wrongs of the carrying nations—had waned.

The Tsarina distrusted republics: her "Armed Neutrality" was a League of Sovereigns. Though an American corsair had been the primary cause of her declaration, no notice of their offending was served upon the rebel Congress. Better to suffer such conduct, the Empress believed, than to dignify the insurgents by acknowledging their existence.[1]

Dana now wrote concerning the Neutral League: "The spirit of the Confederation seems to have languished. The Danish Minister most interested in it has been superseded. Count Panin, who it is said, was its principal support retired . . ." He added, however, "On the whole I am not anxious about the manner of thinking of the neutral Powers touching the great objects that concern our fundamental interests. We have nothing to apprehend I believe except the baleful influence of British gold . . ."[2]

His earlier experiences in St. Petersburg had now tended to convince Dana of the undependable nature of the Tsarina's plans. Russia since the beginning of the seventeenth century has always furnished the "unknown factor" in the European equation of Power—unknown and therefore important. Catherine's foreign policy, showing "all the errors of a woman who is a great man," did much to continue this reputation for uncertainty. Her military strength, an instrument of policy often improvised and ill-led, was nevertheless capable of heroic efforts. With dramatic suddenness the Russian armies could be poured into the scales at a telling crisis. The stage now seemed set for such a stroke as the Tsarina loved—some *coup de théâtre* like the first Turkish War. What juncture of events could be more propitious to the realization of her dreams of Eastern Empire than a European war paralyzing the military strength of the Sultan's allies, the Kings of France and Great Britain? United to the Powers of the North by an Armed Neutrality and to the House of Austria by the pact of Mohilev, Catherine could reasonably expect that her policy in the Orient must be sanctioned, if not approved, by the "European System."

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[1] d'Albedyhll.

[2] Wharton.

II

From the beginning of our national history such diplomatic formulæ as "mediation," "neutral league," and "international congress" have appealed irresistibly to American idealism. It is also to be observed that they have generally received a notably different interpretation in our non-European atmosphere from that allowed them by the chancellories of the Great Powers.

While Dana was seeking to adjust the negotiations outlined in his instructions to the changing whims of Catherine's foreign policy—the European situation was becoming transformed in many important aspects by the Tsarina's more immediate aims. How far-reaching were Catherine's first plans for her "League of Neutrals" is shown by Dana's correspondence with his Government: "I have lately been told by a person, who certainly knew the truth of the matter." Dana had written in an earlier communication to the President of Congress (March 15, 1781), "that it was a secret part of the original plan of the Armed Neutrality . . . that . . . the confederated powers should propose a general plan of pacification between the belligerent powers, which it was supposed could not be brought about otherwise than by leaving America free and independent, and to enforce this proposition by their joint armaments."[3] The King of Sweden in accepting Catherine's plan had mentioned his hope of participating in "the accessory honors of a mediation."[4] The language was that of recent diplomacy, anticipating the formulæ of to-day. But the ends sought were realist and dynastic. Rather than the preservation of general rights, the Tsarina and her allies looked for immediate advantage.

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[3] *Ibid.*

[4] d'Albedyhll, p. 40.

Congress had long persisted in its delusion that the League of Neutrals, founded on altruistic principles of public law, must in the nature of things sympathize with the ends and objects of the American Revolution. Dana had been very reluctantly brought to abandon this hope, but he still sought to excuse his earlier enthusiasm by a change of personalities rather than of principles at the Russian Court. He now received from the newly appointed Secretary for Foreign Affairs a long communication directing him to maintain his earlier attitude of respectful admiration for the "enlarged and generous" Armed Neutrality. Livingston wrote (October 22, 1781):

> As this Letter goes by an uncertain Conveyance, & as indeed, I have hardly entered upon Office, having only been qualified a few days since I do not think it prudent to proceed to any minute discussions. I can only tell you that the people here, entertain the highest respect for the Court You are at. They consider the Plan of the Armed Neutrality as the best proof of an Enlarged and generous Policy, and look upon its Execution as a Charter of Enfranchisement from the Ambition of Princes, granted by the Wisdom of the Empress to the Trade of the World. . . . The sense of Congress on this Subject, I enclose you, in an abstract of their minutes of October 5th, 1780; What pity it would be, if a more confined policy should lessen the glory, or defeat the Purposes She has so liberally formed. You will do me the favor to direct in future your Public Letters to me; I wish them to be as numerous and as minute as possible, particularly on the Subject of Such Negociations as may be in Agitation for a general Peace, & for a partial one between Britain & the United Provinces.

He added a significant postscript which seemed to indicate that an intensive study of Russian affairs based on original sources would now guide the new American department of Foreign Affairs:

I will be obliged to you for sending me for the use of this office, by the first *safe* opportunity, a Russian Grammar and Dictionary, in English, if possible, if not, in French. If the latter, the Grammar of Charpentier, & the Dictionary of Woltchkoff, would be preferable. Both parts of the Dictionary are to be procured, if possible, but particularly the one which begins with the Russian.

III

Livingston, hampered by slow communications and the provincialism of his immediate advisers, was in no position to realize the true state of affairs in Russia. There were, moreover, facts concerning the situation that could not be learned from "Grammars and dictionaries." Dana looked for more authentic advice in his dilemma, to John Adams. With his former colleague he shared a common background of experience and prejudice. But the views of the situation entertained by our Envoy in Holland (now enjoying the prospect of a successful outcome of his own negotiations) were marked by an optimism that must have been singularly irritating to Dana. He now affirmed that the United States must soon form part of

> "a tripple or quadruple Alliance, with the consent and approbation of France." This measure pleases me extreamly, and nothing could be better timed, but I must beg you to conceal it. I have recd a new Commission for Peace. . . . I have also recd a Revocation of my Commission to make a Treaty of Commerce with Great Britain. These last novelties, I suppose, would nettle some Mens feelings, but I am glad of them. They have removed the cause of Envy, I had like to have said but I fear I must retract that. . . . You can easily guess from what quarter this whole System comes. They have been obliged to adopt our System of War and Politicks in order to gain Influence enough, by means of them to lessen Us. But I will consent upon these terms to be diminished down to the size of a Lilliputian, or of an Animalcule in Pepper Water.

This picturesque language was readily interpreted by Dana to mean that Adams still believed that the influence of Franklin and Vergennes alone held back the Great Powers from forming equal alliances with the newly United States. Such a course he believed to be only consistent with America's new-found dignity as a nation.

> There is no prospect of Peace, or Negotiation for it, and I confess I never expect to be called to act in Consequence of any of these Commissions about Peace, and therefore may be the more indifferent. When I was at Paris the articles of the mediating Courts were given me, and my Sentiments desired which I gave in detail, in a Correspondence which Congress has received from me, in two different ways, so that they will have no Expectation of a Congress at Vienna unless the Cornwallisation should excite them anew. . . . We must have Patience and must humour our Allies as much as possible consistent with our other Duties. I see no Prospect of your being recd any more than myself, but if, without being recd, we can gain and communicate Information we shall answer a good End.

The concluding paragraph was in direct contradiction with the first. Moreover, any illusions that Dana may have entertained after Yorktown that the Northern Powers contemplated "turning the key upon the Baltic" were soon dispelled by the news of the ignominious capture in the midst of his forces of Admiral de Grasse and his flagship. The dispersal of the French fleet in the West Indies by Admiral Hood at the battle of the Saints (January 25th) was a dramatic, unlooked-for reverse offsetting for the moment the capture of Cornwallis. Moreover, Gibraltar had been successfully relieved [5] by the British. De Guichen's fleet still paraded the Channel, spreading panic in the English coast towns, but there was now little hope that the contest could be ended by a definite decision upon the seas.

[5] Mahan.

Yet the outcome of the year's campaign was, on the whole, encouraging. Dana had every reason to believe that his position in St. Petersburg had been strengthened by the course of military events in America and the internal situation fast developing in the British Islands. The fortunes of the war had at least brought about the fall of the old Ministry. As he wrote to Adams (March 28, 1782):

> . . .The change of System in Britain (all the particulars of which I have seen published in the English Papers) must it wou'd seem have its consequences, beneficial to that Nation, unless the folly of the leaders in the new Majority shou'd prevent it by pursuing a course in fact not less extravagant and absurd than that of Conquest. . . . I have said this change might be attended with beneficial consequences, because if the wisest improvement is not made of it, the Nation cannot fail of soon experiencing the most dreadful consequences. Her distresses it is no longer possible to conceal, and these have wrought out the present change. However it may turn for them will it not greatly advance our Interests? The whole world must now see that Nation itself proclaiming its utter despair of obtaining the great object of the War. And after this, will they think they ought to wait till Britain has acknowledged in form, the Independence of the United States, before they venture to enter into any political connection with us? Or, in other words, will they risk their exclusion from great commercial benefits, by neglecting to accept of them when tendered by the United States? The close of the War, may close these offers in some parts at least.

The American Minister to Russia was among the first of our diplomats to realize the wide implications of commercial diplomacy. Nor had Dana abandoned hope that the success of the American Revolution might eventually ensure an entire emancipation of neutral commerce from the control of the "Ocean Tyrant." References to the Armed Neutrality were, however, significantly absent from his plans. Even after the French naval defeats Adams and Dana were prepared to continue the struggle with Great Britain until a substantial acknowledgment of the principles of neutrality should be obtained, apparently by the continued efforts of the Franco-American alliance:

> I agree with you that we have no particular reason to wish for peace. I have always hoped to see this war end in a maritime war on our part, that is that it should continue for some time after the British were driven completely out of our Territories. And I have seen no reason to change this sentiment. Of course I do not wish to see any negotiation for a Peace going on, while the British possess an Inch of our Country. You may be right in your conjecture that they will evacuate it if they are not prevented by being made prisoners in their garrisons; yet I have some doubt of this, not because I do not think it the wisest measure they could take, but because I believe, they imagine that holding some possession there, they will be able to acquire more favourable terms, or to negotiate with less disadvantage, and perhaps a *separate* Peace. This seems now to be the object which fascinates the present Majority of its Leaders and that may bring on the Surrender of the residue of their Troops. What can save them from this Fate if they are shut in by a naval superiority. France is by this time convinced that the British barbarities have thoroughly aroused us and I trust will again give us that superiority which alone we want to rid ourselves entirely of our Enemies. Her late system of War I am charmed with, not only where it immediately effects us, but elsewhere. She has pursued her conquests, except of such territories as were ravished from her, with no other views than to compel a haughty and an obstinate Enemy to submit to reasonable Terms of Peace. If She preserves her moderation in the season of Negotiation, her glory will be established on the surest foundation.

IV

Like a barometer Adams' spirits rose and fell with diplomatic temperature of his own immediate surroundings. As the situation in Holland grew more favorable, he grew warm-hearted even to a Russian alliance. Catherine's true policy in her search for "glory" now appeared to Adams to be "simple and certain of success." The much-tried Dana was informed that the answer to his problems was "easy because there is but one way to it." Let Catherine, his mentor declared, "Send an Ambassador to the United States, acknowledge their Sovereignty, and invite them to a Congress at Vienna with the other belligerent power." Then delighted with his own formula he concluded: "This would be the brightest day of all her glory; this would endure to all generations; this would give Peace to Mankind."

But Catherine's daily increasing Orientalism now took little account of a European Congress (for which Adams himself was soon to develop a notable dislike). Potemkin was pointing the way to glories even more golden—the spoils of Constantinople outweighed the "Peace of Mankind." But before turning her back on Europe it was necessary to add a few stones to the wall that now shut out Great Britain from all interference with her Turkish plans. Hence the negotiation with the Dutch, who were now considering what Adams called "a connection with the other enemies of England." [6]

It was at this critical juncture in the affairs of the Armed Neutrality that Dana was once more overcome by the rigors of the Russian climate. In a letter to Adams, dated St. Petersburg February 10, 1782, he described his pitiable condition:

> I have been lately wholly confined to my rooms by a cold and fever, which tho not dangerous, has unfitted me for any sort of business. In short I have been more indisposed and out of health during the short time of my residence in this city, than I have been before from the time of my arrival in Europe. So that I may safely conclude this climate is not

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[6] Adams Papers.

> adapted to my constitution; yet I must sustain its effects sometime longer; which I shou'd do with patience and submission if I cou'd be a little better satisfied that any good purpose wou'd be brot about within a reasonable time. That things will come all right in the end, I seem to be pretty well convinced, because I am persuaded it is for the interest of both Nations that we shou'd proceed in our plan: of the truth of this, if they are not already convinced of it, they will be one day fully so.[7]

In Dana's aching head a new plan was slowly forming—which included a bold attempt to force the doors of the Russian Foreign Office, with or without the approval of the Marquis de Verac. The latter was indeed, for the moment, a less notable factor in the situation, owing to a disgraceful affair which had involved his son-in-law in a series of unpleasant contacts with the Russian police. An outraged peasant had handed over this attaché of the French Legation to the authorities after a beating that confined him for some time to his bed. A mistaken attempt at gallantries that should have been reserved for the less prudish circles of the court had deprived the French Minister of his principal means of communication with the American Agent. To make matters worse the Empress herself had taken an interest in the affair, and expressed a strenuous disapproval (which she sometimes reserved for the conduct of others) concerning the plight of the unfortunate diplomat. French influence was for the moment in abeyance.[8]

V

A lesson that eighteenth century statesmen had learned in the course of seven years of devastating war was the disconcerting fickleness of Russia's foreign policy. Behind endless frontiers lay an Empire, broader, more enormous than any combination of European states. The Tsarina's realm anticipated America as a "new world" whose resources were potential to shatter the most skillfully contrived European "system" of diplomacy. It was fortunate for mankind that the defects of Russian government had so long paralyzed this mighty force—holding back the armies that might have overrun what Russian geographers disdainfully termed the "Peninsula of Europe" affixed to their own vast domain. No less disconcerting were the seismic disturbances that resulted, when Russia, withdrawing suddenly from the European scene, retreated to the fastness of her steppes in brooding isolation. Such a moment was now at hand. In the group of client-states that had ranged themselves in proud defiance of British sea-power beneath the banners of Catherine's chivalrous crusade a disposition became manifest to regard the wrongs of neutrals with lessening indignation.

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[7] *Ibid.*
[8] Waliszewski.

In his letter of February 21st Dana had written to Adams concerning the hopes he now entertained that the Empress' interest in European affairs might be revived through an understanding between Holland and the "Neutral Powers":

> I wait with impatience to see an end of the present mediation between Britain & Holland, and I shall not then fail to take some decisive measures to open a direct communication with her Majesty's Ministers. All substantial objections, it seems, must then be removed, or I shall dispair of their ever being so. Will it not be high time that an attempt shou'd then be made to find out the real dispositions of Her Imperial Majesty towards the United States? I have discovered nothing yet which induces me to call into question the sentiments in general which I have expressed in the letters which passed thro your hands upon that subject.

To the above Adams replied in an encouraging letter regarding the slowly growing determination of the

Dutch to continue their hostile attitude towards Great Britain. From Amsterdam he wrote (March 15, 1782):

> Your favour of Feb. 10/21 arrived last night, and I thank you for the Copy enclosed. I think that if the Ct. of St. James's is capable of taking a hint, she may see herself advised to acknowledge the Sovereignty of the U. S. and admit their Ministers to the Congress. There seems to be a Change of System in England but the Change is too late; the thing done is undone past Redemption. The Fleets combining to stop the Channell, and what is worse than all, Deficits of Taxes to pay Interest, appearing to the amount of half a Million, Sterling in three years. . . . French and Dutch united too in the East Indies against them. The French have nothing to do, but take Prisoners the Garrisons of N. Y. & Charlestown. The Volunteers of Ireland again in Motion etc. . . . The Dutch are now occupied in very serious Thoughts, of acknowledging American Independence. Friesland has already done it. But a certain foreign Faction are exhausting all their Wiles, to prevent it. . . . We shall soon see something decisive.

Anticipating his early recognition by the Stadtholder as the first American Minister besides Franklin, he had already taken steps to install his new Legation in proper quarters:

> I am of late taken up so much with Conversations and with visits that I cannot write much, but what is worse, my health is so feeble, that it fatigues me more to write one Letter than it did, to write 10 when we were together in Paris, in short to confess to you, a Truth that is not very pleasant, I believe your old Friend will never be again the man he has been. That hideous Fever has broken him to Pieces, so that he will never get friends once parted together again. I have bought a house at The Hague, fit for the Hotel des Etats Unis, or if you will *L'Hotel de nouveau Monde*. It is a fine Situation and there is a noble Spot of Ground. This occasions great Speculations. But my health was such that I could not risque another Summer in the air of Amsterdam.

> The house will be for my Successor. It is furnished. I shall live in it, myself but a short time. I see no Objection against your Attempt, as you propose to find out the real Disposition, of the Empress, or her Ministers, you cannot take any noisy Measures like those I have taken here. The form of Government forbids it. You can do everything that can be done in Secret. I could do nothing here in Secret. Thank God, publick Measures have had marvellous success.

Then returning to his familiar formula based upon what he still believed to be Catherine's desire to play the part of supreme Mediatrix in the affairs of Europe he added a peroration in the best Adams manner:

> Pray what is the Reason, that the whole armed Neutrality cannot agree to declare, America independent, and admit you, in behalf of the U. S. to acceed to that Confederation? It is so simple, so natural, so easy, so obvious a Measure and at the same time so sublime and so glorious. . . . Let there be Light and there is Light. It finishes all Controversies at once, and necessitates an Universal Peace and even saves old England from total Destruction and the last stages of horror and despair, it is so much in the Character and to the Taste of the Emperor and Congress that it is a wonder it is not done. However thank God we have no particular Reason to wish for Peace. The longer the war continues now the better for Us. If the Powers of Europe will in Spight of all Reason and Remonstrance continue to Sport with each others Blood, it is not our fault. We have done all in our Power to bring about peace. One thing I think certain, that the British Forces will evacuate US if not taken Prisoners this Season.

But Adams in his enthusiasm for the League overlooked the fact that in Catherine's eyes the wrongs of the neutral powers were already part of an older order of policies. As Verac now wrote, her Ministers had already invented "a new sop" for her insatiable vanity. "They snatch here," he declared, "greedily and unthinkingly at everything which promises to add a new title of glory to Catherine II." A few months later Vergennes, the perspicacious French Chancellor, was to resume his own appreciation of the Tsarina's foreign policy in a lapidary phrase destined to become famous: "Circumstances; conjunctures; conjectures." He believed the idea of the moment to be her guiding motive.

Long before Dana's recall the hopes founded in turn upon the Armed Neutrality and its new system of Public Law and upon the General Mediation, with a solemn assemblage of Plenipotentiaries at Vienna, had in turn been abandoned by the Empress. The latter negotiation had become in Catherine's eyes little more than a pompous formality serving to heighten her own Imperial dignity. The fading grandeur of the Holy Roman Emperor announced the dawn of a new Eastern Empire. Her diplomacy—and her feminine wiles—were now directed towards the ensnaring of "the Eagle" as she named Joseph II, her first "platonic" favorite. An alliance against the Turks—and above all—the Emperor's consent to "a point of etiquette" were the main objects of her restless desires. The title of *Mediator* she declared demanded that her name should appear before that of the "King of the World," at least in the Russian version of public documents.[9] Upon such trifles the great "Arbiter of Europe" was preparing to dissipate the high opportunity which "conjuncture and circumstances" had placed in her hand. Harris, who had feared a different outcome, could now point out with malicious satisfaction in a dispatch to the Foreign Office: "She loves to be consulted" and "this deference once paid her interest flagges." [10]

With advancing years Catherine had become herself a Muscovite—caught in the toils of old Oriental fears and urges. Casting aside the scepter of Europe, and the machinery of Leagues and Mediations, she now listened to the ancient call of Eastern conquest—the hoof-beat of her squadrons on the steppes of Asia.

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[9] Malmsbury.

[10] *Ibid.*

CHAPTER XV

CIRCUMSTANCES AND CONJECTURES

I

MEANWHILE the diplomacy of that purposeful American Envoy, John Adams, somewhat aided by circumstances, had achieved a long-desired end. In April, 1782, recognition of the United States as a Sovereign power was accorded by the Dutch Republic, and the news with quite unusual dispatch reached St. Petersburg. Besides the personal gratification that Dana felt at the success of his friend, the similarity of their positions led him to the conclusion that the system both had followed was in a measure vindicated by this noteworthy event. He soon realized, contrary to his expectations, that his own position as an unrecognized envoy in the Russian capital was rather complicated than made easy by the new "alliance."

Adams' letter, confirming the glorious news, was a characteristic production. It was dated April 28, 1782:

> You will have seen by the Papers, that the great Point is gained here with much Unanimity, and many indifferent People think it a great Point. I may think more highly of it, than it deserves, but it has ever appeared to me, the turning Point. Be this as it will, I think all will alow that it is better to have this nation for Us than against Us. This has been the question and that question is now certainly decided. If the war continues, there will be found in this nation a Strong Spirit of Liberty, and a great deal of Obstinate Valour.

Dana's own situation and notably the effect of the new alliance on the Empress-Mediator is revealed in the following important letter written from St. Petersburg on April 29, 1782:

> I cannot suffer this post to go off without conveying to you my most hearty congratulations for the great event of the States General acknowledging our Independence, and upon the famous anniversary of the *conception* day of our Empire. Your patriotism, your zeal and your inflexible perseverence, will now have their reward, when you see the great end of your Mission so happily executed. Never was an alliance formed, I believe, with such cordiality and universal satisfaction among the People of that Republick: An alliance too, which will give rise to the same energy of affections amongst us. This news which we received yesterday, has given a shock here; it is not well received, it is considered as a marked slight of the Mediation. I fear it has deranged their System, but they must now make the best of it. The influence of America upon all the Systems of Europe is irresistable, and will universally overthrow them where they are built upon principles repugnant to ours. Ours is founded in nature; theirs, too often, in chicane, in corruption, in little expedients. This is saying a great deal, but is it saying more than the truth?

Adams had failed to include in his jubilations any reference to certain mortifying incidents of his reception by the Dutch that were indirectly of concern to Dana. He may even have been ignorant of their significance. Documents in the Russian Foreign Archives show that in spite of the cavalier fashion in which the Tsarina's officials affected to overlook and disdain the efforts of American diplomacy—they nevertheless followed its progress with anxious care. This solicitude is revealed by a dispatch from Arkadi Markov, an official sent by Catherine, to assist the Russian Minister, Prince Galitzin, at The Hague. The latter, who was more than suspected of free-masonry and of being "a friend of Franklin" [1] was thus subjected to the supervision of an official of the Foreign Ministry in the confidence of the Empress.

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[1] Fay.

When the recognition of the "American rebels" by the Dutch became imminent, Markov wrote, "I shall regulate my conduct towards Mr. Adams so as to facilitate my relations with him if orders from your Excellency or some request from England authorize me." [2] He next reported (April 19th) that Adams had been received the day before by the Stadtholder. Sneering at the "rebel envoy" for wearing "court dress" at the ceremony—the Russian diplomat reported with malicious satisfaction concerning the *contretemps* that ensued: After his reception Adams had received an invitation to dinner from the French Minister and had later paid "official calls" upon his new colleagues at The Hague. The Diplomatic Corps had been led to hold a meeting to discuss Adams' case and agreed among themselves "not to return his visit" until authorized to do so. This petty conduct was moreover approved if not instigated in St. Petersburg. Ostermann wrote:

> Now that their High Mightyness' have proceeded to the formal recognition of Mr. Adams I must inform you that her Imperial Majesty does not wish any demonstration on your part that can lead to the presumption that she approves this step . . . or the reception of any other person accredited from the colonies now dissolving their relations with Great Britain.[3]

The last paragraph of these instructions, of course, was directly concerned with Dana. In spite of the elaborate care with which his presence in St. Petersburg had been ignored by the authorities, the Empress was evidently fully informed concerning every detail of his mission. Instructions which Ostermann addressed to Prince Galitzin early in May, reveal the somewhat childish pretense that marked the conduct of the Great Tsarina:

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[2] *Nation.*
[3] *Ibid.*

> With your despatch came a portrait of Washington to be delivered to one Dina (sic) an American agent here. But as this man is not known to her Imperial Majesty or her Ministers, you are commanded by her Majesty to return it to the source from which it reached the courrier. Her Majesty wishes Your Excellency as well as Mr. Markov, in future not to receive for or from America any letter or anything else despatched by the courrier: for besides the reason given in my letter of the tenth of May it is not pleasant to deliver them to people (sic) with respect to whom Her Majesty's Ministers are ignorant who they are or why they are here.[4]

Although the above instructions were signed by her Vice-Chancellor, the whole note is conceived in a breathless and "volcanic" style peculiar to the Empress herself. Such personal matters were moreover usually reserved for her own decision. While "Dina" was left in careful ignorance of the fact, his presence in the humble lodgings at the Hôtel d'Europe was probably well known—and his goings and comings remarked—by his famous neighbor of the Hermitage Palace.

II

But if the Mediatrix was reluctant to admit the United States to the Councils of Europe, the correspondence just quoted contains interesting evidence bearing out Adams' statements that the new alliance was highly popular with the Dutch. On May 2nd (O. S.) Galitzin wrote: "Mr. Adams really turns people's heads." A Mr. Synglede who had refused to drink the new envoy's health at a public dinner was "almost thrown out of the window." A closing paragraph to this account of his diplomatic triumphs shows that the writer, his purpose accomplished, was feeling as lonely as his friend and correspondent in more distant exile. Adams had informed Dana concerning those matters as follows:

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[4] *Ibid.*

> It is to no Purpose to entertain you with Relations of Visits and Ceremonies, which are all finished. The Prince and Princess of Orange have acknowledged American Independence as well as their H. M's. The (Court?) has recd a Letter of Credence. It was pretty to present a beautiful young Virgin World, to the acquaintance of a fine figure of a Princess, whose Countenance showed an Understanding capable of judging and an Heart capable of feeling.
>
> I feel more lonely than I used, as my Health is not so good, and my Spirits still worse. I want my Wife and my Children, about me. I must go home. I can't live so—it is too much. If I should go home it would give great Pleasure to give them this Satisfaction. I am weary, my Friend of the dastardly Meanness of Jealousy and Envy. It is mortifying, it is humiliating to me to the last degree, to see such proofs of it, as degrade human nature.
>
> If I should get a Treaty made I have a great Mind to go home and carry it for Ratification.
>
> I will write to my dear Boy soon, I have recd his Letter and would have him write me as often as he can. Dont mind Postage.

Adams' friendly letter shows that with the recognition of American independence by the Dutch, Catherine's interest in bringing about an accommodation between the Stadtholder and King George suddenly revived. The "partial Mediation" was once more pursued with enthusiasm—at the expense of the more "general pacification." As though to forestall any pleas from the American Agent that the recognition of the colonies by a second European power had in any way improved their claims to her own official notice—she urged upon her representatives at The Hague the desirability of persuading the Dutch to resume their former condition of neutrality. The American "Envoy" at her court was made to feel the full force of her disapproval.

To Adams' letter Dana now replied (May 23, 1782). In this confidential exchange of views the two envoys were chiefly concerned in keeping up each other's courage. The situation of both was complicated by personal matters:

> I feel your situation or condition, for my own is not altogether unlike it. The difference however is against me. . . . How long my patience will hold out is uncertain; but it is my present determination not to pass another winter here. . . . I have been equally anxious with you about Master John. I must really say I think it would be advisable that he should return in the way you mention to Leyden, or America; perhaps it might be best if you should continue in Holland, for him to go to Leyden. You will feel for my cruel situation if he should leave me. When I reflect on this myself, I almost determine this shall not be; and that at all events I shall press on my business to a speedy conclusion, and quit this country with him. You will write me more decidedly on this Subject by the return post.

Threatened with the loss of his secretary and only confidant, Dana's position was indeed a pitiable one. His instructions from Congress were sadly lacking in helpful advice, while the Empress had adopted an attitude of almost personal hostility. Livingston, the new Secretary for Foreign Affairs of the Continental Congress, insisted in taking for granted that Catherine was well disposed to Dana and his mission. In elaborate instructions he was exhorted to set forth the American cause in the best possible light. "Should inquiries be made by people anxious to serve you," he wrote (with an unconscious humor that must have maddened his reader), be "particularly attentive to render your information agreeable, by enlightening it with some of the little interesting incidents that this war had furnished in abundance." He was also warned against "painting the British in the odious colours in which they appear to us" as "other nations are not so familiar with them." Unfortunately "people anxious to serve" were those most conspicuously lacking among the courtiers and officials of the Russian capital. To more purpose, the following dispatch from Livingston might have been helpful to Dana's negotiation, except for the careless omission of the important document referred to:

> I enclose an ordinance relative to captures (a) which will shew the respect paid by these States to the armed neutrality. It will be evident to you that this is not a mere empty compliment, since nothing can be more injurious to us, than conforming to principles which our Enemy despises, and is permitted to despise with impunity, particularly on this Coast, where Britain is left at liberty to consider us not as independent States, but as revolted Colonies, and to make prize of any Vessel whatsoever, bound to our Ports, tho' both Ship and Cargo should be in the strictest sense neutral. But interested considerations have less weight with us, than those immutable laws of justice, which make the bases of these Regulations, and these States cannot but hope, that the neutral powers will sooner or later dare to execute, what they have so wisely projected.

III

The change in the British Ministry that now occurred brought into office a statesman for whom Catherine had always expressed admiration and sympathy. Charles James Fox, the new Foreign Minister, had been one of those distant admirers of her statesmanship for whom the Tsarina cherished an almost personal regard. While holding out an olive branch to the revolted colonies—in the form of a negotiation with Versailles that promised recognition of their independence—Fox also undertook to bring about a reconstitution of the European balance of power through a *rapprochement* with Russia. To secure this end, he was even prepared to recognize the principle set forth in Catherine's code of neutrality on the seas.[5]

Approached by Simolin, the Russian Minister in London (April, 1782), Fox replied that His Majesty's Government would now accept "a free navigation" in return for the conclusion of the formal alliance which Harris had attempted to secure by his unfortunate "bribe." The British Foreign Office was becoming more pliant, and Catherine's interest in the Mediation began at once to revive.[6]

Dana remained in happy ignorance both of the negotiation for an alliance and for the recognition of neutral rights. He, however, observed its consequences with some trepidation: "The new British Ministry have consented upon the Intercession of her Imperial Majesty," wrote Dana to Adams on June 21, 1782, "and desire to treat with the Dutch upon the basis of their old Marine Treaty and the principles of the Armed Neutrality." He added, that under the new circumstances "she seems to press the business of the mediation with greater vigour." The real motives of Catherine's renewed insistence upon the rôle of "honest broker" among the warring powers escaped the perspicacity of the American Agent. But the crisis soon passed. Catherine quickly lost faith in the Anglophile Simolin's efforts to forward an entente with the British Ministry. The situation involved in reality, besides the almost irreconcilable differences of the maritime code, matters of general policy in which the interests of the two nations were opposed. The Empress preferred a more platonic "gloriole" as Mediatrix to the dangers of an alliance that might impede her plans of Eastern expansion, and when Fox quitted office on the death of Rockingham, the negotiation was suspended.

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[5] Martens.

[6] Kojouharoff.

The course of events had been singularly favorable to Catherine's opportunistic system of diplomacy. She was now in 1782, both in fact and in name, the arbiter of two continents. The American war had virtually ended in a stalemate. The command of the ocean had passed beyond the control of either of the belligerent parties, and the fleets of the Armed Neutrality not only held the balance of sea-power, but also found themselves in a position to assert a control of neutral commerce highly unfavorable to a successful outcome of England's plan of blockade in both Europe and America. As an open aggressor, the Empress knew that the real value of her fleets, with the rotting hulks, and seasick sailors who manned them, would soon become apparent. Nor was it part of her policy to allow the small but relatively efficient naval forces of her allies, Sweden and Denmark, to reveal their superiority by an actual test of strength. The Dutch, though admitted as belligerents to the vague privileges of the Neutral League, were refused all co-operation other than that to which they were entitled as neutrals.

Had the Tsarina desired to follow a consistent course, the American "rebels" might logically have hoped to be admitted under the same conditions as the Dutch to the Armed Neutrality. Both Adams and Dana were desirous that such an outcome—tantamount to acknowledgment of their independence—might form part of her plans. Dana, chafing at his own inconsequence, realized that the Great Empress held in her jewelled hands the scales of destiny. The fate of the cause for which he was willing to sacrifice his heart's blood was being decided before his eyes.

But the humiliation of Great Britain, and a further disturbance of the European Balance, formed no part of Catherine's plans. The situation in Europe was too favorable to her own schemes of Eastern conquest to be prematurely ended by invoking the armed intervention of the Neutral League. The aims of Russia could best be obtained in the course of a pompous negotiation, the Congress of Europe which she now proposed to the warring world. In such a gathering the will of Russia's sovereign could be imposed both by the aid of the Austrian alliance, and by the methods of diplomacy in which she excelled.

Moreover the Tsarina was not alone in viewing the sudden intrusion of a new American state into the planetary system of the European powers as a disquieting phenomenon. Into the delicate calculations of a political astronomy based upon an intricate "balance of power" was now suddenly projected a new incalculable planet. The chancellories of Europe considered with something like resentment the pretensions of the United States. There was no place for a republic in their established system of dynastic alliances and counter-alliances. Bewigged and bestarred courtiers, gathered about the green cloth of European council tables, had long conducted the business of diplomacy according to a ritual developed through centuries of familiar contact. They found no place in their confabulations for the envoys of a revolted colony. Neither Adams nor Dana was, however, averse from seeing their country assume its proper rôle among the European states by a dignified appearance at Catherine's Congress though fearful of possible consequences.

Dana now wrote from St. Petersburg on June 21, 1782, to Adams concerning the proposed mediation:

> Whether a particular Peace between Britain and Holland can now be brought about by Her Majesty's exertions, you are better able to say than I am; and I shou'd be glad of your sentiments upon this Subject. I am inclined to think it cannot be, and the whole may issue in a general mediation on the part of Her Majesty and the Emperor, whenever the

> English can be brought to consent to the admission of our Ministers into the Congress, and not before. This is certainly upon the whole the most just, and, I think, the only rational method which remains to be adopted with any prospects of Success, in the present state of affairs.

Thus Dana was not opposed to a "general negotiation." Like Adams he had, perhaps, been brought to see in a Congress of the Powers a remedy for the somewhat ominous solicitude of France.

IV

Moreover a strong party in the Russian government was now favorable to King George's new ministry and hoped for England's tolerance in the pursuit of their Eastern plans: the courtiers of Catherine's Court, ever anxious to anticipate her whims, were now crowding to the British Legation. Potemkin was writing to Harris in a vein of almost mawkish sympathy. The following letter from Dana to Adams, confirmed by the frankly cynical revelations of Harris' Memoirs, shows that Russia, like Bourbon Spain, distrusted revolutions:

> If you were to hear the Anglomanes of this Country speak of the late successes of the British, you wou'd think they imagined the power of the whole House of Bourbon beaten down so as never to rise again, and that the British had gained a complete and lasting triumph over all their Enemies. So ignorant are they of the real relative strength of the Belligerent Powers. Time, I presume, will destroy these absurdities, and their momentaneous effects. The war, if it shou'd not be closed in the course of the next Winter by a general pacification, may rage with new vigour on all parts. The late emancipation of Ireland may give some additional force to our Enemies; and we ought to be prepared to meet it. Abating this circumstance, I rejoice in the recovered Liberty of that long and oppressed Country. This great event, as well as those of the freedom of the Commerce and the Navigation of all the Nations of Europe are undoubtedly

> consequences of our Revolution: and the latter most certainly must depend upon the establishment of our Independence. This truth, I think, must be so obvious to all of them that it cannot be overlooked. If they are not therefore absolutely blind to their own essential Interests, or so corrupt as to disregard them, they must openly or secretly favour and support it. But, my dear Friend, I am almost weary of the pitiful existence, in waiting for what is called the "Proper moment"; and I may suddenly put in execution what I have before told you I have previously contemplated, and return to America by the first opportunity which may offer.

Yet the bright myth of Catherine's "liberalism" still survived in the language of Livingston's dispatches. The Empress was soon laughingly to describe her own famous League to Harris as a "Nullité Armée."[7] But the startling import of this famous phrase failed to cross the Atlantic. Dana's task was now to be complicated by the necessity of conducting his negotiations at cross-purposes with the "idealists" of Congress. To a faction in that body the Empress' "Code of Maritime Law" and her "European Congress" still had a meaning it had long since lost in Europe. Even Adams—writing with a freedom of language that offers an amusing contrast to the style of his more public communications—still clung to his formula of a "neutral combination." With Rabelaisian frankness he paid his compliments to the diplomats of Paris and Philadelphia:

> I shall be plagued with Piddling Politicians as long as I live, at least, untill I retire from the Political Career to the Blue Hills. There are at this Moment so many Politicians piddling about Peace, general, and separate, that I am sick to death of it. Why is there not one soul in Europe, capable of seeing the plainest Thing in the World, any one of the neutral Powers, saying to the Rest,
>
> America is one of Us, and we will all share in her Commerce. Let us all as one declare it.

[7] Malmsbury.

These words once pronounced, Peace is made, or at least soon and easily made. Without it all may nibble and piddle and dribble and fribble; waste a long time, immense Treasures and much human Blood, and they must come to it at last.

The New British Minister's blunder at first setting out. They had but one System to choose, which could succeed and that they have misused.

They must come to it finally; but it will be after an opposition shall be formed and cemented, which will give them much trouble and make them unpopular.

CHAPTER XVI

AN ENVOY OF TRADE

I

AN interesting and somewhat obscure chapter of the earlier attempts to bring about a reconciliation between Great Britain and her former colonies—concerns the reluctance of the mother country to abandon the favored position she had so long occupied in American commerce. To Adams and Dana the underlying difficulty that now beset the negotiation for peace largely dealt with matters of trade. The high diplomacy of the eighteenth century, it is too readily held, was contemptuous of economic and commercial considerations. In comparison with the policy of a later day these occupied a secondary plane. This was notably true in Russia. Yet a costly gibe attributed to Harris to the effect that "Russia has a ship of war for every merchantman" had provoked a stinging retort from the Tsarina. Catherine's interest in her merchant marine had been shown by her early resentment against the American corsairs. Solicitude for the political phases of the resulting policy of the "Armed Neutrality" later became the dominant factor in the situation. But like her predecessor, "Steersman" Peter the Great, the foreign trade of the Empire found a place in her expansionist dreams and furnished a convenient excuse for her aggressions against the Turks on the Dardanelles.

The particular instructions issued to Dana by Congress to cultivate more solid commercial relations with

Russia were something of an innovation in the practice of the time. Commercial interchange was, however, the surest basis of common interest between a great dynastic state and a struggling republican commonwealth, and Dana's recognition of this fact was a proof of diplomatic capacity.

The enforced and irksome leisure endured by the American Envoy as the result of Catherine's determination to ignore the political existence of the United States, gave him ample opportunity to master the intricacies of Russian commerce. His was the first of many succeeding "Embassies of Trade" that the American republic was soon to send forth to the four quarters of the world. As the Dana papers reveal, during the winter of 1781–82 a great part of his energies were expended in elaborating the articles of a commercial treaty which was to prepare the readjustments that American commerce must encounter during our transition from a colonial to a free commercial power.

"In pursuance of one branch of my duty," Dana wrote to Livingston on March 30, 1782, "I have during my residence here, made a particular inquiry into the commerce of this country. By the list of the exports of the last year which will accompany this, may be seen the commodities of all kinds which it furnishes, as well as the share which the several nations of the world have taken in this commerce. . . ."

To offset the somewhat idealistic views entertained by Congress respecting the motives of the "Neutral League" he was at pains to analyze Catherine's policy in terms of commercial advantage: "When it is considered that the Dutch used to send about six hundred vessels into the Baltic annually, there can be no doubt that the neutral powers are very well content with the Dutch war, and tho they are very deeply interested in the principles of the neutral confederation, . . . yet a crooked and corrupt system of politics may prevent some of them defending their rights with proper vigor."

"The great demand we have for the principle articles of this commerce (i. e., Russian) such as hemp, cordage, sail cloth, their linen manufactures of all sorts, especially for household use, is well known as we have hitherto been supplied with these through Great Britain. . . . But perhaps the commodities suitable for this market may not be so well understood among us. The principal ones of our country are rice and indigo; tobacco is a prohibited article." [1]

To his father-in-law William Ellery he had written on the same subject as early as January 6/17, 1781:

> . . . Sweden, it appears to me acts as consistent a part as any power. She maintains her rights besides wisely reaping the benefits of the American commerce by silently and gradually admitting our vessels into her ports and permitting our Countrymen to purchase there everything they want and to depart when and where they please. If this Country wou'd adopt the same System in every respect, they wou'd soon see the happiest effect from it. At present Sweden is making considerable profits by being the depot of Russian Manufactures for our use. I wish this Country had a more commercial turn. We shou'd then soon see a direct communication between the two Countries opened and established, to the great benefit of both. But . . . trade between them will meet with other obstacles. I am apprehensive not one of the maritime Powers of Europe will aid us in our attempts to effect this, but that on the contrary Britain, Sweden and Denmark will all at least secretly be opposing us. They well know this Country has no navigation of its own comparatively speaking, if therefore by various suggestions they can excite a jealousy respecting the commerce of our Country rivalling this in all the markets of Europe, a sentiment, however groundless, which I am persuaded has made a considerable impression here, they will flatter themselves they shall each share a proportion of the benefits of an inter-

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[1] Wharton.

> vening commerce. Nothing you will readily perceive is to be expected here, while the business of mediation is kept up.

It was Dana's conviction that in the nature of things the future relations between Europe and the United States would be commercial rather than political. This appears from his correspondence concerning this subject with John Adams at The Hague. At a time when less perspicacious American statesmen were content to forecast our foreign relations in terms of the European "balance of power" and to seek for a place in its system of alliances and counter-alliances, Dana confidently prophesied that our greatness would be based upon commercial empire. Nor was he unaware that such a course would arouse jealousies and contrary interests even among our closest political friends. He even differed with Congress regarding the pure motives of the Neutral League—a subject that was to lead to a sharp interchange with Livingston, the new Secretary for Foreign Affairs. He wrote from St. Petersburg on April 23, 1782:

> I see with infinite satisfaction the progress our affairs have made in Holland. . . . That Nation after much internal struggling seems at last to have adopted an almost universal sentiment upon the propriety, or rather necessity of forming an intimate commercial connection with us, and this without loss of time. They have been doubtless justly alarmed by the late important change in the Councils and the System of Great Britain; and have wisely resolved not to suffer her to get the start of them by adjusting their commercial connections with America, before they have concluded their Treaty with us. They well know how much is risqued by a further delay. Hence their present Zeal to acknowledge our Independence. I wish others saw their Interest to do the same things in as clear a light; and did not longer think of the glory of mediating a Peace, which in the end they may miss of; for 'tis evident to every one who will attentively consider the late measure of Britain, that She means to settle

> her Peace with America, without the participation of any Mediators; well knowing the great danger which her most important commercial Interests will be exposed to, if they pass thro such a medium. Her aim will be to exclude the other Maritime Powers, as far as possible, from the benefits of our commerce. To effect this She will make great sacrifices in some respects. You know what I allude to—the critical moment for the Maritime Powers of Europe has already arrived.

The downfall of North and the "King's Friends" showed that London was about to yield. In the reluctance of the mother country to admit her former colonies to the projected peace congress. Dana saw not injured pride but a very practical attempt to restrain American commerce within the narrow limits of Great Britain's old commercial system. He now desired to appeal to the interests of the commercial powers rather than to their political sympathies, thus inaugurating a new and very practical system of American diplomacy. The Powers, he wrote:

> . . . May never, or at least for a long time to come, again see so fair an occasion to promote their essential Interests; if they suffer this moment to slip by without fixing their connections with America. It must be apparent to them all, the Neutral Powers I mean, that no just objections can now be made to a measure of this sort; since the British themselves have felt the necessity of publickly proclaiming to the World their utter inability to obtain the great object of their War, the subjugation of the United States, or of any one of them; and have even made the *attempt* to do this, *Criminally*. With what face can they now pretend to claim any dominion over that Country, or to require the Neutral Powers to forbear the acknowledgement of our Independence, *till they themselves shall have acknowledged it*. Or in other words, to rest idle Spectators, and I have before said, till Britain has adjusted all her commercial Interests with America, as far as possible, to their exclusion. Do not ask whether this will probably be the case here, I can't say it will not. For besides that I have some reason to suppose this Government not yet

> properly informed, I may say, of the immense Interest it has at Stake relative to the commerce of our Country, I know the British will not fail constantly to hold up to Her Imperial Majesty the glory of mediating a Peace between the great Belligerent Powers, while they are secretly carrying on a Negotiation as above with the United States.

II

Dana's inability to enter into negotiations regarding these important matters with the Russian authorities, rather than any resentment at the ceremonial slights and limitations that his unrecognized position entailed, was the reason for his discontent. He was convinced that if he could lay before the Empress the true reasons for forming a commercial understanding with the American states—even that somewhat frivolous monarch would be convinced:

> Should you ask me if it is not practicable to give those in Government just ideas upon the nature of the commerce of the two Countries, I must say I have taken such measures to this end, as the peculiar state of things will admit of. I dare not expose the dignity of the United States by making any *official* advances. They may be rejected. I am not satisfied that they would not be. The cry of *Mediation* I know would open upon me. It is necessary therefore first to do away all errors upon this Subject of Commerce—to establish the great mutual Interests the two Nations have in a close and intimate connection with each other—and to point out the danger this Interest is exposed to in the present critical State of affairs by delay: When this is done(and I flatter myself the task is very easy if the door is open to me) I shall have nothing to apprehend from mere sounds or words. Her Majesty wou'd most certainly pursue the great Interests of her Empire, and not suffer herself to be diverted from that pursuit by any dazzling prospects of Glory which the British, or any others, might hold out. She has too much Wisdom not to change her System when affairs have changed their face, and not to improve every favourable occasion which the course of events may present to her, for the bene-

fit of her Empire. I agree with you that glory and Interest are both united in our case—that her Majesty could not by any line of conduct, more effectually promote both, than by stepping forth at this moment; and acknowledging the Independence of the United States, and forming a commercial Treaty with them—that there is nothing to fear from any quarter—that the example of so illustrious a Sovereign would probably be followed by the other Neutral Maritime Powers, and would infallibly restore Peace and Tranquility to both Worlds—and that all Europe would partake equally in the benefits of our Commerce, or at least enjoy an equal freedom in it.

His impatience at the determination of the Russian officials not to receive him on any pretext, even for preliminary negotiations of a nature that would be entirely compatible with the character of a mere agent, is revealed by the following:

But, my dear Sir, if instead of this, America cannot obtain a *hearing* which is all she wants to ensure her success, wherever national Counsels are influenced by national Interests, and Her Majesty should persevere in her System of Mediation notwithstanding the change in affairs, is not the consequence plain, America will make the best bargain in her power with Britain; and she can now clearly make an advantageous one. When this is done, Her Majesty, and the other Neutral Powers will certainly see, tho too late, the importance of the present moment to the Interests of their respective Empires. I will only add, May they be wise in season—may they follow the Example which Holland is setting them, and which She would have set them at this moment, had She been in profound peace with Britain, even at the hazard of a War, little as She delights in it, rather than suffer herself to be foreclosed in her great commercial Schemes.

To the above long communication was added a slightly malicious postscript for the possible benefit of the Russian Secret Police:

N. B. This letter was written with a view of its being opened at the Post Office here, and accordingly was sent there under certain special circumstances.

The answers he received from Adams (May 16th) but confirmed Dana's views concerning the advantages which recognition by the Dutch had brought to the trade of both countries: "The title of American banker, for the sake of the distinction of it, and the introduction to American trade, is solicited with an eagerness which passes description." [2] Adams, however, inclined to believe that Catherine's policy, while tortuous and mysterious, was based on some intrigue of the Northern Powers apart from commercial considerations: "What is the system of Russia?" he inquired June 13th. "Does she suppose that England has too many enemies upon her. . . . Does she seek to embroil affairs and to light up a general war in Europe? Is Denmark in concert with her or any other power? Her conduct is a phenomenon. Is there any secret negotiation or intrigue on foot to form a party for England among the powers of Europe and to make a balance against the power of the enemies of England." [3]

Adams' researches respecting the mechanics of the European "Balance of Power" had perhaps convinced him too thoroughly of the value of formulæ that European diplomats were never sure of following to a logical conclusion. The famous "Balance" undoubtedly was given lip service everywhere in the interest of Peace. But private interest, and notably commercial considerations, never prevented a departure from its most basic principles. Moreover, like all her distant admirers Adams failed to make allowances for an outstanding factor in the Russian situation—the bewildering feminine deviations of the great Catherine's diplomacy.

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[2] Wharton.

[3] *Ibid.*

III

By the end of June, 1782, the diplomatic "conversations" in Paris were tending towards a preliminary peace between Great Britain and the United States. These negotiations soon reached a point where Oswald, the English negotiator, felt justified in recommending to the British Ministry that His Majesty's men-of-war and privateers "should be instructed not to take any unarmed American vessels." Adams' first thought was for the plight of his distant friend. He suggested that "Mr. Dana, who is at Petersburgh with a commission for that purpose in his pocket" might now well sign the Armed Neutrality "without affront or hostility." [4] But in the Tsarina's distant capital the diplomatic atmosphere failed to thaw with the ice of the late Russian spring. Neither the Russian officials, nor the French Minister seemed impressed by the pending negotiations for peace between the Anglo-Saxon powers. As Dana reported to Congress (June 28th): "After we had received intelligence here of the important change in the councils and in the system of Great Britain, I consulted . . . the Marquis de Verac upon the expediency of disclosing my public character without further delay. . . . He gave me his opinion freely and candidly . . . it is the same in every respect to his former one." [5]

Verac's superior means of information determined Dana to "conform to his advice." But he became obsessed by a growing suspicion that in the new order

[4] J. Adams.

[5] Wharton.

now obtaining France might become a less dependable ally. Was not America a logical rival of France in the foreign trade of Russia? With the prospect of peace Verac might be even less anxious than before to forward his reception at court. Dana therefore redoubled his efforts "to turn if possible the thoughts of those in government upon our affairs." He now prepared a series of well-reasoned "reflections" which translated into French were sent to the Russian Foreign Office and "placed in the very hands I wished to place them."[6] Dana was fast learning the "indirect method" of negotiation in vogue at Catherine's Court. Had he been able to command the "golden key" that Harris' government placed at the latter's disposal, his mission might have had a far different outcome.

His "Secret and Confidential" letter to Adams of October 15, 1782, gives the sequel of this transaction, and, at the same time, reveals his suspicions of the French Minister's policy. This important document reads:

> Soon after my arrival here I intimated to you that I had discovered what I thought a clew to account for the advice given me by a certain person, and which you and I then were of the opinion was calculated to throw an obstruction in my way, and of course that I ought not to follow it. I told you I wou'd communicate it to you by the first good opportunity. None has offered till now. Here then you have it.
>
> In the project of a Treaty of Commerce which France has proposed to Russia, there is an article to this effect: When the subjects of France shall carry in their own vessels, goods, wares, and merchandises, of the growth, produce, or Manufacture of France, into the dominions of Russia, and shall receive in exchange for them, goods, wares, and merchandises, of the growth, production, or manufacture of Russia, that in such cases there shall be a drawback of the Duties both of importation & exportation paid by the Subjects of

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[6] *Ibid.*

France, upon all such articles imported or received in exchange by them as aforesaid.

Dana in his well-reasoned "reflections" amounting to an essay on Russian-American trade had argued that it was "of last importance to a nation to draw all such commodities as she wants from the first hand or from their proper source." His belief that the French Minister was engaged in an intrigue to interpose his country as an intermediary or "carrying nation" between Russia and the United States was also communicated to Adams. Readily suspicious of France, the latter was but too anxious to agree with Dana that:

> . . . In order to induce Russia to grant this most advantageous privilege to France. She alleges that it will be for the Interest of Russia to do it, because France will have a demand for great quantities of the Commodities of Russia, which She will nevertheless not be made a necessity of purchasing of Russia, after the *War,* for these reasons that She can obtain the same from America, . . . Thus I found both friends and foes working against us here for their own private purposes.

Expanded by Adams to a "whole system of policy" the above correspondence was also to play a part in the first negotiations of peace between Great Britain and her colonies. An important effect of Dana's letter was to strengthen the prejudices long entertained by Adams against the French. It also gives a further clue to the famous transaction complained of by Vergennes—the signature of the preliminary articles of peace between the British Ministry and the United States Commissioners in Paris without the participation of the French Minister of Foreign Affairs. The following extracts from a letter written by Adams to an unknown correspondent (possibly Lee or Samuel Adams) dated Paris, November 17, 1782, and forwarded to Dana for his inspection, is to be found in the Dana Mss. Referring to the French Adams writes:

> When I speak of this Court, I know not that any other Minister is included but that of Foreign Affairs. *A whole system of policy is now as glowing as the day, which perhaps Congress, and the people of America, have little suspicion of.* The evidence now results from a large view of all our European Negotiations. The same principles and the same system has been uniformly pursued from the beginning of my knowledge of our Affairs in Europe in April 1778, to this hour. It has been pursued in France, in Spain, in Holland, in Russia, and even in England. In substance it has been this, in assistance afforded us in Naval Force and in Money to keep us from succumbing entirely, and nothing more. To prevent us from ridding ourselves wholly of our Enemies, and from growing rich and powerful to prevent us from obtaining acknowledgements of our Independence by other foreign Powers, and from acquiring Consideration in Europe, or any advantage in Peace, but what is expressly stipulated in the Treaties, to deprive us of the Grand Fishery, the Mississippi River, the Western Lands, and to saddle us with the Tories.
>
> To these ends by all I have learned of Mr. Dana's Negotiations in Russia, Mr. Jay's in Spain, and my own in Holland, it is evident to me that the Count de Montmorin,[7] the Marquis de Verac, and the Duke de Vauguion have been governed by the same Instructions, viz: instead of favouring, to prevent, if possible, our success. In Holland I can speak with knowledge; and I declare, he did everything in his power to prevent me, and I verily believe he had Instruction so to do, perhaps only from the Minister, untill I had declared to him, that no advice of his, or the Count de Vergennes, nor even a requisition from the King, shou'd restrain me: and when he found I was not a Man to be managed: that I was determined, and was as good as my word, and further thought that I shou'd succeed, he fell in with me, in order to give the air of French Influence to measures which French Influence never cou'd have accomplished, and which he thought wou'd be carried even if he opposed it. This instance is the stronger,

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[7] Minister in Spain.

as the Duke is an excellent character, and the Man I wish to meet everywhere in the affairs of France and America.

I must go further and say that the least appearance of an independent spirit in any American Minister, has been uniformly (a reason?) to have his character attacked. Luckily, Mr. Deane out of the question, every American Minister in Europe, except Dr. Franklin, has discovered a Judgement, a Conscience, and a Resolution of his own; and of consequence every Minister, who has ever been here, has been frowned upon. On the contrary Dr. Franklin has been pliant and submissive in everything, has been constantly cried up to the Stars, without doing anything to deserve it.

These facts may alarm Congress more than they ought. There is nothing to fear but the want of firmness in Congress. French policy is so subtle, so penetrating, and encroaching a thing, that the only way to oppose it, is to be steady, patient, and determined. Poland and Sweden, as well as Corsica, and Geneva, exhibit horrid effects of this policy; because it was yielded to; whereas Switzerland who never were afraid of France, and were always firm, has found her an excellent Ally for 150 years. If we are steadily supported by Congress, we shall go clearly to Windward of them; but if Congress wavers and gives way, the United States will receive a blow that they will not recover in fifty years.

IV

To suggest that "economic determinism" was the chief factor in the situation that was fast developing in Paris would be an overstatement of a favorite modern theory. To arouse Adams' suspicions of the French was an all too easy matter—that usually entailed the stirring up of his less legitimate prejudices against Franklin. Concerning Vergennes, Dana was of one mind with his colleague in believing that the King's Minister wished to control foreign policy less in the character of a friend and ally than as a suzerain or protector. With the "Sage of Passy" he, however, maintained a friendly correspondence. To Dr. Franklin Dana wrote from St. Petersburg (September 2/12, 1782):

> . . . Things remain here as to us in their old state. This Court seems not to take any step which wou'd be offensive to the Court of London. Nothing is therefore to be expected untill that Court shall have agreed to consider the United States as an Independent Power. Many will have it here that you are far advanced in that matter, and that you will give us peace in the course of next Winter. You wou'd much oblige me by the communication of any such intelligence upon these points which it may be prudent to make. I beg you to present my best regards to Mr. Jay who we are told is with you.

The effect upon Adams of the failure of the commercial negotiations that Dana was attempting to conduct at Catherine's Court, must be taken into account in judging the former's attitude during the final negotiations with the British Agents, which were shortly to take place in Paris. That they were an important factor in confirming his almost morbid suspicions of Vergennes, can scarcely be doubted in the light of the evidence contained in the Dana Mss., notably a curious dispatch or manifesto which he later addressed to Livingston, and forwarded to Dana, probably for the latter's instruction and guidance:

> . . . Rank and titles and etiquette, and every species of punctilios, even down to the visits of cards, are of infinitely more importance in Europe than in America; and therefore Congress cannot be too tender of disgracing their Ministers abroad in any of these things, nor the latter too determined not to disgrace themselves. Congress will sooner or later find it necessary, to adjust the ranks of all their servants, with relation to one another, as well as the magistrates and officers of the separate Governments. For example if when Congress abolished my commission for Peace, and issued a new commission for Peace, in which they associated four other Gentlemen with me, they had placed any other at the head of the commission, they wou'd have thrown a disgrace and ridicule upon me in Europe, that I cou'd not have withstood. It wou'd have injured me in the minds of friends and enemies, the French and Dutch as well as the English.

> It is the same thing with States. If Mr. Jay and I had yielded the punctilio of rank, and taken the advice of Count de Vergennes and Dr. Franklin by treating with the English or Spaniards, before we were put upon the equal footing that our rank demanded, we should have sank in the minds of the British, French, Spaniards, Dutch, and all the Neutral Powers. The Count de Vergennes certainly knows this. If he does not he is not even an European Statesman. If he knows it, what inference can we draw, but that he means to keep me down if he can,—to keep his hand under our chins, to prevent us from drowning, but not to lift our heads out of water.
>
> *The injunctions upon us to communicate, and to follow the advice that is given us,* seem to be too strong and too universal. Understood with reasonable limitations and restrictions they may do very well.

The usual Adams peroration of verbal pyrotechnics closed this remarkable communication.

> . . . When the French Ministers in America or Europe communicate everything to us, we may venture to be equally communicative with them. But when everything is concealed from us more cautiously, I believe, than it is from England, we shall do ourselves injustice, if we are not upon our guard. If we conduct ourselves with Caution, Prudence, Moderation and Firmness, we shall succeed in every great point, but if Congress, or their Ministers abroad, suffer themselves to be intimidated by threats, slanders, or insinuations, we shall be duped out of the Fishery, the Western Lands, Compensation to the Tories, and Penobscot—if not to Kennebeck. This is my solemn opinion, and I will never be answerable to my Country, Posterity, in my own mind, from the consequences that might happen from concealing it.
>
> It is for the determinate purpose of carrying those points, that *one Man,* Dr. Franklin who is submission itself, is puffed up to the top of Jacob's Ladder in the clouds, and every other Man depressed to the bottom of it in the dust. This is my opinion. If it is a crime to hold this opinion let me be punished for it, for assuredly I am guilty.

There was much more to the same effect, exhibiting to the full all Adams' obsessions respecting "rank," Dr. Franklin, and Vergennes. Dana must have smiled indulgently when he read the more prudent postscript:

> N. B. This letter was intended for the Secretary of Foreign Affairs, Mr. Livingston, but sent to another Member of Congress, for particular reasons.

Having blown off the froth that overlay the mead of his solid judgment Adams now poured these dregs into the sink of oblivion at St. Petersburg.

CHAPTER XVII

BACK-STAIRS DIPLOMACY

I

ON August 18, 1782, Dana received a belated letter of instructions from Livingston, written the previous March. The tone adopted by the Secretary for Foreign Affairs always implied a hope that his communications would be opened in the mails. As a guide to a reasoned diplomatic policy they were less satisfactory. Dana, who was aware that Mr. Livingston had little sympathy with "militia" methods, must have congratulated himself upon the determination with which he had followed the French Minister's advice to remain inconspicuous. Like one of Catherine's own courtiers Livingston wrote:

> You will continue I presume to appear only in a private character, as it would give Congress great pain to see you assume any other, without an absolute certainty, that you would be received and acknowledged. The United States fired with the prospect of their future glory would blush to think, that the history of any nation might represent them as humble supplicants for their favour. The least slight from a Sovereign whose life will be read with applause by posterity, whose situation places her above those little shifting politicks by which inferior Princes govern, who has magninimity enough to feel and to declare herself independent of every other tie, but that which Wisdom and Justice impose, might be urged with weight against us, and give force to the calumnies of our Enemies.

There was much more to the same effect ending with a verbal flourish setting forth Congress' "firm determination to forego any present advantage, to brave any danger, rather than purchase it upon terms unworthy of the struggles they have made, or which shall render their Liberties insecure."

Dana had long since been favored with Mr. Adams' views, characteristically different, concerning the path he should follow. The latter seems to have been persuaded of what he now considered the triumph of his own plans for securing American recognition by the Dutch. He believed that the same methods of "firm" diplomacy would apply in Dana's more complicated case. He overlooked the fact that the Dutch Republic had been deliberately provoked prematurely to declare war on Great Britain by Yorke's clever maneuvering in order to deprive them of the benefits of the Neutral League. As belligerents they had adhered to Catherine's famous principles of maritime law, but their position was necessarily different from that of the northern allies. The pugnacious Puritan's conception of neutrality (as shown in the case of the *Black Prince*) was, moreover, always somewhat confused. He insisted on viewing the Northern League as a combination hostile to Great Britain, whose members were unaccountably held apart from the great revolt against the "Tyrant of the Seas" by Catherine's desire to play the rôle of Mediatrix. The American Congress having also adhered to the new code of sea-law, he somewhat naïvely believed that their cause must necessarily be championed by the neutral powers. He now proposed that Dana should appeal to the Tsarina's allies for the recognition she so insistently denied:

> Now, Sir, for something of consequence. You are weary of a pitifull existence. So am I, yet we must both bear it, lest our impatience should do mischief. I cannot advise you to come away this year. These moments are too critical and your powers are of too much importance. I think them of the

greatest moment of any except those for Peace. The simple signature of your name would pacify the world. I mean it would settle the great point, which once settled, any nation will afterwards continue the war unreasonably at its peril. My most friendly and candid advice is, therefore to put on Patience as an armour wait another Winter. I don't mean by this however, to advise you to be silent, unless you have reason to believe you shall be refused. You may communicate your character and mission in confidence to the confidential Minister—no, I mean the Minister of Foreign Affairs. Represent to him that you came to that Court, as the first and Principal in the Armed Confederation, but that your Commission is to all. . . . Represent the propriety of that Court, communicating your application to the other Parties to that Treaty, that, if he refuse, you shall be obliged to go to the other Courts, those of Berlin, Stockholm, Vienna, etc.: That this Confederation should as one acknowledge the American Independence—that it is even friendship to England & the only means of saving it from irretrievable destruction. If you receive an answer and a refusal take your instructions and go to the Ministers of Stockholm, Berlin or Vienna, at Petersburgh and pray them to transmit them to their Court, and remain patiently where you are till next year.

The Neutral Nations ought to score on Fox's system and settle the matter. If they will do nothing by next summer, I cannot advise you to wait longer. I write you this, as crude hints, and beg you would consider them in no other light.

A subsequent letter to Dana written from The Hague (September 29, 1782) shows Adams more and more convinced of the advantages of an aggressive policy. In even more picturesque language he now repeated his former advice:

I dare not take it upon me to advise you to quit that Stage, tho' I lament the policy, which has tied your hands. It is a bit of that web, in which you and I and every honest American in Europe has been long entangled. I broke thro' it as the Whale goes thro' a net, you would have done the same in my situation and I could not do it in yours. If I had transmitted to Congress the advice, exhortations and remon-

> strances I received, and asked their Instructions, I should have been forbidden to stir—and should have been here sprawling with hands and feet in the air, pegged, like Ariel, in a rifted Oak; this Republic would at this moment have been separately at peace, and American Independence would never have been acknowledged by any Power in Europe, except France, untill England should have done it.

He added a few details of a personal nature—and complacently informed Dana of the diplomatic position which his own firmness had achieved:

> I am at present, as you wish me, i. e., as happy as I ever can be in Europe. I am well accommodated and have an opt'y. of living in an habit of Civilities with the French and Spanish Ambassadors, as well as some principal People of this Country—the Ministers of Prussia, Sardinia and Liege (sic) are sociable. The Envoy from Portugal and the Chargé des Affaires of Sweden are sometimes so. Russia and Denmark are stiff and distant; but they do neither honor, nor service to themselves, or their Courts by it. My loan is in Cash, at least a million and an half Guildres. The Treaty is all agreed: is now copying and will be signed next week. It is very little different from that with France. W. Charles Storer is now with me, as well as W. Thaxter. It is not certain that he will go home with the Treaty. He seems to have an inclination to stay a little longer.

In his rôle of diplomatic mentor Adams seems to have overlooked the fact that Congress was growing more and more conservative regarding alliances with Europe. Adams' letters and the receipt of Livingston's admonitions left Dana in a diplomatic quandary. He had realized the wisdom of a later aphorism to the effect that "Diplomacy is the art of doing nothing gracefully." To fathom Franklin's deference to the wishes of Vergennes also formed a necessary part of his problem. He believed the latter to be in favor of a policy of unquestioning dependence on France, thus accounting for the conduct of Verac in St. Petersburg. To Adams he wrote (September 8/16, 1782) avoiding the issue of his proposed separate negotiations with the neutral powers but approving the general principle of "firmness":

> In my letter of the 19th of Aug. I told you I was no longer at Liberty to pursue a course like that you pointed out in your's of the seventh of the same month—that my late instructions were clear and decided—and that I was glad of it. For had the matter been left at my discretion I shou'd have taken a course not wholly unlike that you mention. I had prepared everything for the decisive step, and sho'd have taken it against the opinion of you know whom. My sentiments perfectly coincide with your's so far as they respect the dignity of the United States, which I have all along held wou'd suffer less from a more open and firm policy; and that their views and interests wou'd be promoted and established much earlier by means of it . . . I venture to say that had you hearkened to the advice that was given you when I was in Holland, not one of the United Provinces wou'd at this time have acknowledged our Independence. Nay more, the present minor party wou'd have been the prevailing one, and in all probability affairs wou'd have worn a different countenance thro Europe, and we shou'd have seen, by the aid of mediation, etc., a separate peace concluded between Britain and Holland.

II

Adams' letters had foreshadowed important developments in the negotiations of a peace with Great Britain. Dana now received a belated letter from his faithful correspondent, announcing in characteristic language that the first actual diplomatic measures towards treating with the colonies had at last been taken by the British Ministry. This welcome communication was dated September 17, 1782:

> It grieves me when I think how long it is since I wrote you. But my head and hands and heart have been all full. Fitzherberts Commission is to treat with the King of France

> and the Minister and Oswald's is "to treat, consult of, agree, and conclude, with any Commissioner or Commissioners" for "a Peace or Truce with the said Colonies or Plantation, or any of them, or any Part or Parts thereof." I said, his Commission, but he has none. He has only an Order to the Attorney General to make out such a Commission. Then you see there is yet no proof of Shelbourne's Sincerity. In short nothing will be done, untill Parliament meets; nor then unless they take upon them to acknowledge the Independence of the United States. If Gibraltar is succored and holds out, Britain will not cede it. In short we shall have another campaign. No peace until 1784, if then.

In a final peroration or chant of triumph he reviewed his conduct at The Hague in the light of events but too well known to his correspondent:

> I shall sign the Treaty of Commerce next Week. All Articles, Words, Syllables, Letters and Points are adjucted, and nothing remains, but to write five fair Copies in Dutch and English, and to sign seal and deliver them. My loan is in Cash, better than fifteen hundred thousand Guildres, so that we go on, you see, pretty well.
>
> The Standard of the United States waves and flies, at the Hague, in triumph over Sir Joseph York's Insolence and British Pride. When I go to Heaven, I shall look down over the Battlements, with pleasure, upon the Stripes and Stars, wantoning in the wind, at the Hague. There is another Triumph in the Case sweeter than that over Enemies. You know my meaning. It is the triumph of stubborn Independence. Independence of Friends and Foes. You know what I Mean. "Monsieur, votre Fermete a fait un tres bon effet ici" has been repeated to me, more than once. "Monsieur, vous avez frappe le plus grand Coup de Tout l'Europe. Cette Evenement fait in honeur infini a Mr. Adams. C'est lui qui a affraye les Anglomans et rempli cette Nation d'enthousiasm &c." These are Confessions "arrachées" and therefore more delicious.
>
> I am now upon extreme good terms with the Ministers of France and Spain. I dine with both & they dine with me &c and I meet the whole Corps Diplomatique at their Houses as well as at Court, and might meet them every morning, at

certain Rendezvous of Intelligence and every evening, at an Assembly at Cards, if I had not something else to do. Adieu, my dear friend. Write me as often as you can.

Early in December the following brief communication from Adams in Paris (November 8, 1782) acquainted Dana with the great news for which he had been prepared by their previous exchange of letters:

> The King of G. Britain, by Patent under the Grand Seal of his Kingdom has created Richard Oswald Esq., to be his Minister Plenipotentiary to treat with the Ministers of the United States of America. Thus G. B. is the 3rd Power in Europe, to acknowledge our Independence. She can no longer therefore contend that it is a Breach of the Armed Neutrality or an Hostility against her to acknowledge American Independence. This is so essential a change in the State of things that I think and Mr. Jay thinks you will now have a reasonable Ground to expect Success. The K. of Sweden has some time ago made some advances to treat with Dr. Franklin and Congress has sent him a Commission to treat with that Prince. I see not why Neutral Vessels may not go freely to America now. You will not mention my Name in these matters but in confidence, Jay is as you would wish him, wise, and firm.

Meanwhile from the Secretary of the Committee on Foreign Affairs Dana received new mandatory letters rebuking him for his suspicions of the French Minister (March 2nd) and again directing him to subordinate his own negotiations to those of Verac.[1] The tone of Livingston's instructions was scarcely calculated to reconcile Dana to the difficulties of his position. Worried and ill, deprived of the counsel of friends or colleagues on whom he might depend for disinterested advice, his lot was not an enviable one. He was now called upon to make a choice between Adams' leviathan admonitions "to break the net" and the positive orders of his superior. In the crisis confronting him he distrusted Livingston's judgment concerning the situation, believing him to be misinformed—if not deceived by Marbois, the French Minister in America. In a spirit of utter dejection Dana poured out his troubles in a private letter to Elbridge Gerry (November 20, 1782):

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[1] Wharton.

> I am a weary of the life I lead here, and shou'd infallibly have quitted this station this Fall, had I not entertained some hopes, that in the course of the Winter we might have a peace. My hopes were not very sanguine, yet they were sufficiently strong to induce me to spend another Winter here. . . .

"The Neutral Powers," he maintained, "will continue their Neutrality." But he could not forbear mentioning a pious wish that—unless the peace negotiations in Paris proved successful—they might be induced to take part in the struggle. This event, however, he doubted:

> Their interests are too repugnant for them (I speak of the Confederated Powers) to take a part jointly in the War; tho Shou'd any of them do it, it wou'd probably draw the others into it; who wou'd throw themselves into the opposite scales according to their particular Interests, and thus bring on a general War in Europe; which wou'd afford them sufficient employment among themselves, to free us from any well founded apprehension of mischief happening to our Cause from such a general Conflagration. Such an event wou'd rather strengthen our Independence. The Powers which shou'd be opposed to Britain and her Allies, wou'd in all probability, after the example of the United Provinces, tho with a quicker pace, enter into political connections with us; and we shou'd soon see ourselves in strict Alliance with one half Europe.

That he differed from Adams concerning the probability of such an outcome is, however, shown by the following closing statement: "I do not imagine any one of the Neutral Powers is disposed to take a part in the War, foreseeing the consequences of such a step."

III

In the apotheosis contrived for Catherine the Great by the band of philosopher-pensioners who enjoyed her bounties—Diderot, Voltaire, Grimm and the rest—the Tsarina always figures as a beneficent law-giver treading the clouds of a World Utopia. The protection she extended to the Encyclopædists when these pioneers of the Revolution were driven from France had assured their gratitude and her own reputation as the author of the Armed Neutrality. Yet her liberalism, at least, was always a doubtful quantity. Womanlike, she followed the fashions of Paris in political thought as well as in matters of dress and deportment. But long before the *dilettante* reformers of the gardens of Versailles had awakened from their enthusiasms for the "Rights of Man" to find the mob thundering at the palace gates, Catherine had learned to distrust the teachings of these self-styled "Friends of the People." Like her ally Joseph II, she knew kingship to be her "trade."

In America, and notably in Congress, a strong faction persisted in viewing the Armed Neutrality as a proof of Catherine's devotion to the general principles of "freedom." These men still cherished a hope that her powerful influence would be employed in favor of the political system of the revolted colonies. Like Livingston they believed that patient waiting might bring forth some miracle of intervention by the Tsarina which would end in Great Britain's discomfiture. Dana more rightly judged that the Tsarina's real intentions were directed towards other fields of conquest: "I am greatly deceived if in her present views, the interests and state of her Empire do not all unite in opposition to such a scheme; tho I at the same time suppose she is not at heart the Friend of either of our Friends." Domination of the ice-free waters of the Black Sea rather than the freedom of the Baltic lay at the bottom of her plans. Dana had lost all patience with the attitude of respectful adulation of the Empress in which Livingston's instructions still abounded. He no longer hoped for impossible favors from her friendship nor yet feared her as a potential enemy. To Gerry he wrote:

> You may rest satisfied therefore, that our Contest will not be lengthened out by the rising up of new Enemies against us. It can be affected only by the absurd and ridiculous manner in which the War is conducted in Europe on the part of our Friends. Behold Gibraltar completely relieved by a Fleet inferiour almost by one third, to that of their Enemies, and even without the loss of a single Transport.

But the expression of such views was not without danger in view of the dominance of the French party in Congress. In Gerry's determination to quit public life, he saw the possible loss of a friend. He was already preparing to defend Dana's policies and notably his proposed treaty of commerce against the Congressional faction of which Livingston was a leading factor. It was, therefore, with real apprehension that he closed his long communication to his old friend with the following appeal:

> And will you who have taken so distinguished a part in our great Revolution, and whom opposition and dangers ever made more zealous and active, retire from public life during the contest, because certain vices too often attendant upon all Administrations seem to be prevalent? No my Friend, you ought to step forth again, and labour to rectify what you deem amiss. Perseverance will always gain something. I have seen striking instances of this in your own conduct. Take courage then, and abandon nothing which ought to be maintained. Occasions will present when you may do much good. You have no call to a private life in these times. Remember you are an *Independent* Citizen of a free Repub-

lick; and you well know the Duties which result from such a station in the Community.

IV

A further incident of a character which no amount of tact or diplomacy on Dana's part could possibly avert was now to arouse Livingston's ready suspicions concerning his conduct of the Russian mission. The diplomatic technique of the eighteenth century, while draining the purses of Envoys and Ministers for purposes of extravagant display, also reserved for them certain peculiar rewards. An accepted custom provided that costly gifts should be bestowed upon both foreign diplomats and the Ministers of the European Courts on "appropriate" occasions of ceremony, such as the signing of a treaty or other important state paper. These gratuities generally took the form of snuff-boxes or *objets d'art* (often studded with diamonds of value set in such a manner that they might be conveniently removed and disposed of without injuring the costly tokens of which they formed the somewhat equivocal ornaments). But at St. Petersburg such refinements were deemed unnecessary. The presents exchanged on the signature of public treaties were still made in hard cash. As Dana wrote to the astonished Secretary for Foreign Affairs:

> It may not be amiss to inform you, that by the express allowance and order of her Majesty, there is to be paid by any Power entering into any treaty with her, six thousand roubles each to her Ministers signing the same, and it is now understood that there shall be four signatures on the part of her Majesty, viz: that of Count Ostermann, the Vice-Chancellor; Count Woronzow, the President of the College of Finance; and Mr. Bezberodko, Secretary of the Private Affairs or Particular Cabinet.[2]

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[2] *Ibid.*

To a Congress always frugal in respect to diplomatic expenses—even the most necessary—the information that such an amazing "custom" was blocking Dana's negotiations in St. Petersburg came as a rude surprise. Even the admirers of the "Neutral League" lost their enthusiasm for a Russian treaty, commercial or otherwise. These first contacts with the seamy side of European diplomacy were to exercise a notable effect on national policy. But before the final decision of the Congressional Committee appointed to consider these strange matters could be made known to their Envoy on the distant shores of the Neva—the latter was to suffer many months of humiliation and disappointment in his continued attempts to establish trade relations with Catherine's Empire.

The amount of the "fees" involved on the proposed negotiation was no less than 4,500 pounds sterling—and this sum, it was intimated, was for a commercial treaty alone. In this document Dana hoped to embody some of the principles, at least, of the Armed Neutrality.[3] While involving the recognition desired by Livingston such an achievement was, Dana realized, a costly triumph. In the absence of instructions from Congress he wrote to Franklin:

> I wrote to Mr. Livingston in Augt. last, to advise Congress of a custom established at this Court by order of her Majesty, That every Power entering into any Treaty with her, shou'd pay Six Thousand Roubles to Four of her Ministers (making, in the whole Twenty four Thousand) upon the signing of the Treaty: And that if any occasion shou'd offer for me to make a Treaty on the part of the United States, it wou'd be indispensably necessary Congress shou'd enable me to advance that sum. I have lately written to him upon that subject again, and acquainted him. "If the present Negotiations for a Peace shou'd happily succeed, I shall have occasion for the Money mentioned."

[3] Hildt.

In the course of his experience with our early diplomats Franklin had received many strange requests for pecuniary aid. But the news that treaties with the Empress must be paid for across the counter—like so much merchandise—seems to have been too great a strain on the credulity of the Sage of Passy. Had the request come from a diplomatic-adventurer like Sayre, Franklin would have dismissed the matter with a smile as a new and ingenuous attack upon the money-bags of which he was the reluctant guardian. Dana, however, was above suspicion where financial matters were concerned. He had, moreover, suggested that his friend, Adams, should share with Franklin the responsibility in advancing the required sum:

> As Mr. Adams is now near you, and as it wou'd be useless to obtain the consent of one of you only, I suppose you will consult together upon the matter, which I am sensible is not without its difficulties on your parts. Shou'd you see your way clear to answer each for one Moitie of the money, it wou'd be sufficient to authorize me to draw upon you for it in the very moment when it shall be indispensable necessary for me to advance it.

Dana had probably become so accustomed to the Oriental atmosphere of the Russian Court that he overlooked the strangeness of his own request. To Franklin and Adams, however, the matter appeared in another light. To the former it even appeared that Dana was asking them to assist in the intrigues of a group of swindling courtiers. From Paris (March 24, 1783) Adams wrote a tactful letter, in which the blame for undeceiving Dana was shifted to Franklin's patient shoulders:

> I have received your favour of 14th February and am not without hopes of receiving from Congress, in a few days, directions for advancing the money to you. But five thou-

sand pounds sterling is an enormous sum, and, in the opinion of some, more than the Treaty, in the present Circumstances will be worth. Dr. Franklin started to me a doubt, whether you had not been imposed upon, and told of a Custom, which never existed. I have no doubt you have informed yourself exactly on this, as on all other occasions: but I should advise you to procure a Certificate, from the French and Dutch Ambassadors, that it is an usage, and indispensable to pay such a sum of money . . . Nothing, my dear Friend, surprizes me. I have seen so extensive and long continued a system of Imposture practised upon Congress and their Ministers, and have so long smarted under the torment of it, that no fresh instance can surprize me. I suspect that the design is now to defeat you by forming a Congress here, in order to have all your business done by the "Pacificateur de l'Europe." [Franklin] I hope you will not longer wait a single moment, but communicate your mission to the Minister of every neutral Court, or at least of every Court within your Commission, let the advice given you be what it will. For my own part I have resigned all, and shall go home; and have some hopes of opening the eyes of our Countrymen in some particulars. But, to stay in Europe with my veins tingling with contempt and detestation of the odious impositions practised upon us, is impossible. I had rather drive Trucks in the Town of Boston."[4]

To persuade Livingston that his "admirable Empress" actually countenanced such customs as those he reported was, as Dana realized, a difficult task. Nor could he depend on Verac to confirm his request. The question of these "gifts"—which was to plague him for many months after his mission had been brought to its inevitable conclusion—was an open secret among the diplomats of St. Petersburg. But the French Minister, was, he also believed, determined to prevent closer commercial relations between Russia and the American colonies. Rumors of an early peace with Great Britain now promised to simplify Dana's negotiation. But this development coincided with new changes in Catherine's foreign policy which, more than ever, gave the American Agent reason to doubt the desirability of a closer connection with the political system of Europe. The closing phase of Dana's mission at St. Petersburg was to be rendered significant by the necessity which soon faced both the Continental Congress and its Envoys of arriving at a decision concerning the value of "entangling" alliances. Even such combinations as the "Confederation of the Neutral Powers"—adherence to which had once seemed so desirable—were soon to become suspect in the eyes of American statesmen.

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[4] The above was marked "Private."

CHAPTER XVIII

CONJECTURES AND CIRCUMSTANCES

I

AMERICAN history, it has been more than once observed by historians and biographers, is lacking in a certain colorful, feminine interest. Dynastic politics alone seem capable of infusing into world affairs that picturesque element of irresponsible femininity associated with the names of Elizabeth of England, the Austrian "Empress-King" Maria Theresa, and Catherine the Great of Russia. Nor has the influence of these high-born ladies been, very notably, exercised in the interests of peace. On January 15, 1783, Dana wrote to Adams:

> While you are engaged in the glorious business of establishing Peace upon Earth, we are busy conjuring up a new and more general war. Some will have it that tho the affair of the Crimea has been quietly settled, yet that the war against the Porte is a decided matter, that the Emperor will take part in it, that the object of it is nothing short of a partition of the Turkish Dominions in Europe, that a counter confederation will be formed, if possible, to prevent the execution of such a plan. They even name the Powers which, they say, have already leagued, or will soon league themselves together for that purpose, viz: the House of Bourbon, Prussia and Sweden. They throw Great Britain & Denmark into the other Scale; they seem at a loss what to do with the United Provinces in this arrangement, as they have not lately known what to do with [it] themselves.

In spite of his isolation from the Diplomatic Corps in St. Petersburg, Dana had succeeded in creating for himself a circle of informants—if not of friends. His letter closed with a shrewd appreciation of the situation likely to arise from the Mediatrix' new dreams of Eastern Empire:

> Now if the conjectures of knowing ones, shou'd happen to be well founded, what will the influence be upon the present negotiations? Will it [the Turkish War] promote them or will it break them up? Can it be for the Interests of *all* the belligerent Powers to close this war, with an almost certain prospect before them of being speedily plunged into a new and general one in Europe? Wou'd not some of them desire essential advantages from such a measure, while others wou'd suffer essential disadvantages from it? I think so clearly. And therefore in proportion as the foregoing conjectures acquire weight in my mind, my hopes of a Peace are enfeebled.

Dana's task of unravelling the endless skein of Catherine's changing ambitions was daily growing more complicated. His enthusiasm for a commercial treaty with Russia continued, but he now had serious reason to doubt of the advantages of adhering—even in a neutral capacity—to the Northern Confederation. His earlier surmise that a new orientation of the Tsarina's policy was responsible for her sudden coolness towards the Armed Neutrality and the proposed European Congress had been verified. Ends she had once pursued with ardor—even her pompous rôle of Mediatrix—were now set aside or forgotten. Harris' dispatches to his Government confirm in every respect Dana's view: "It is impossible," wrote the British diplomat, "that the Empress can *sincerely* wish to see peace restored between us and our enemies, since the success of her projects in the *East* necessarily depends on the House of Bourbon being *fully employed* with its own concerns." [1] Realizing that an independent Turkey was "an essential part of Vergennes' system," Harris playfully suggested she was "afraid of incurring the censure of a nation who writes memoirs and epigrams." But the "new and general war" which Dana feared and Catherine viewed so complacently—was unacceptable to at least one of her allies. There was evidence that Joseph was tiring of his alliance with the Tsarina, and Harris entertained hopes that "the Emperor is playing her false."[2]

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[1] Malmsbury.

Profiting by the diplomatic situation, Catherine's armies had already sent "the Kuban Tartars flying back to their deserts." Bezborodko had drawn up the plan of this campaign, and the Great Favorite from a safe distance had directed her armies. But Catherine herself had been the soul of the entire enterprise: "It is the moment," she wrote, "to dare everything." Potemkin was at home in the field of Oriental diplomacy. The Porte, held in check by fear of the Austrian alliance, had only protested. By creating a party among the Tartars themselves this once powerful nation, who had long terrorized Russia, were divided and at last reduced to vassalage.

In the opinion of many of the diplomats at St. Petersburg, the "Tartar war" had served but to show the weakness of the Tsarina's military establishment. If a new "glory" had been gained in Russian eyes—much of the prestige had been lost by the revelations of the foreign observers. Catherine herself had been deceived by the victories of her "battalions of parade." In the preceding mobilization whole regiments had been found "existing only on paper." The powder furnished by her contractors was full of "strange rubbish." The officers of one of the crack cavalry regiments had sold all its horses and most of its saddles—

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[2] *Ibid.*

and pocketed the proceeds.[3] All these circumstances, suggesting that Catherine's armies like her capital were more impressive when viewed from a distance, must have been known to Dana who had already some experience in such matters gained at Valley Forge. He must also have noted another grave military weakness that threatened the prestige of the Armed Neutrality itself.

Sweden and Denwark had but one interest in common with Russia. With the former power as early as 1783 the Empress had found herself engaged in diplomatic difficulties that were soon to lead to open hostilities. Even before Dana's departure from his post, the Empress was reported to sleep with "her jewels beneath her pillow," in fear of a Swedish raid.[4] Whatever reasons might have urged the American Agent to join his country to the armed league of neutrals, all these differences among the Powers of the North now seriously diminished its efficiency.

The tottering balance of European power, first disturbed by the American revolt, was seeking new adjustments. The bonds that held her jealous Austrian ally were daily growing weaker and Potemkin, the *impresario* of the Turkish war, began to advise new European combinations.

While still complaining of Catherine's *penchant* for her "fatal Armed Neutrality," Harris believed that a British alliance with Russia (perhaps including Prussia as a possible third power) would offer "the best security for a reconstructed Europe." The formula was suited to the needs of Harris' determined, if not always convincing, altruism. But until the effects of his "grand project" upon the general system should become more certain he recommended that the Ministry "keep out of and form no connexions with any power whatsoever."[5] As a corollary to this policy it was more than ever necessary to hold French and Russian interests apart.

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[3] Waliszewski.

[4] *Ibid.*

As Dana now observed, Harris and Verac were united in their opinions upon at least one subject: the undesirability of a premature recognition of the United States. In this strange coalition of interest—brought about by momentary circumstances—he recognized a fresh obstacle to the success of his mission. But a new factor—reviving his hopes that America might soon be free not only from her political ties with Great Britain but also of the tutelage of her French ally—was now to play a decisive part in his own negotiation.

II

A joint letter from the American Commissioners in Paris (endorsed "Received December 29th O. S.") informed Dana of the signature of the preliminary peace with Great Britain and further advised him respecting his own future conduct. (See facsimile.) This document read:

Paris Decr. 12, 1782.

SIR

We have the honour to congratulate you, on the Signature of the preliminary Treaty of Peace, between his Britannic Majesty and the United States of America, to be inserted in the definitive Treaty, when France and Britain shall have agreed upon their Terms. The Articles, of which We do ourselves the honour to inclose you a Copy, were compleated, on the thirtieth of last Month. To Us, at this Distance, the present opportunity, appears to be most favourable, for you to communicate your mission to the Ministers of the Empress of Russia, and to the Ministers of the other neutral Powers residing at her Court, and if you have no objections, We presume you will wish to be furnished with

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[5] Malmsbury.

> the enclosed Paper, to communicate at the same Time. We heartily wish you Success, and if you should inform Us of a fair prospect of it, We shall propose an Article in the definitive Treaty, to secure the Freedom of Navigation according to the Principles of the late marine Treaty between the neutral Powers.

The above was signed by John Adams, B. Franklin, John Jay, and Henry Laurens.

The reference to "Freedom of Navigation" was probably in the nature of a pious wish rather than a hoped-for result. The "Ocean Tyrant" was chastened but not overthrown. The issue, however, served to link Dana's negotiations with the broader questions of the final peace. This important letter was accompanied by a short communication from Adams, more personal in tone, dated Paris, December 6, 1782:

> You may guess from your own Feelings, what mine may be in communicating to you, the Intelligence that the Preliminary Treaty, to be inserted in the definitive *Novr.* Treaty was signed on the 30th Decr. by the Plenipoteniaries on each Side.—We have tolerable Satisfaction in the Mississippi and Boundaries, & the Fisheries and I hope not much to regret with regard to the Tories or anything else.
>
> Mr. Franklin, Mr. Jay, Mr. Laurens as well as my Self are of Opinion, that this is a proper Time for you to communicate to the Ministry where you are, your Mission. But I believe we shall write you a joint letter upon this Subject.

To the above Dana returned an answer the following day (December 30th):

> I was yesterday favoured with yours of the 6th inst. from Paris, which has been 34 days on its rout here. Ten of them might have been saved if you had thought of delivering it to Mr. Good to be forwarded under cover of his friend in this City. From the time we had the first intelligence of the preliminaries being signed, viz: on the 15th of this Month, O. S. I have been most impatiently expecting advice of it

> from you. Before the receipt of your letter we had received the King's speech, by which it appears the preliminaries were signed conditionally on our part.

The "condition" was of course the still-pending signature of the "definitive Treaty" between France and Great Britain. An important paragraph of a later "joint letter" considered once more the course Dana's mission should pursue with the reference to the "Armed Neutrals" under the terms of a proposed "Marine Treaty between the Powers." The Commissioners again expressed a hope that Great Britain might be led to accept the Empress' new code of sea-law. But with the passing of Fox and the Rockingham Ministry Catherine had ceased to hope for such a result. Public opinion in England was whole-heartedly opposed to any such concessions. The merchants of London had recovered from their panic, and after the West Indian reverses Britannia again ruled the waves.

For Dana the immediate interest of the facts revealed in both of the communications from the Commissioners in Paris lay in the paragraphs authorizing him that "the proper time" had now come "to communicate to the Ministry" the formal announcement of his official Mission. This once more brought up the embarrassing matter of the "Fee" to be paid the Empress' Ministers and favorites—without which, as he had written, "nothing can be done":

> I am much obliged by the opinion of Dr. Franklin, Mr. Jay, Mr. Laurens and of yourself. I beg you all to accept my thanks for your attention to this quarter. I shall give you the earliest notice when I take any step here. Your & Dr. F's answer to the proposition which I made to you in my letter of the 14/25 November is much wanted. Nothing can be done without your compliance. If you have decided against it, let me beseech you to reconsider it, and to consult the whole fraternity upon it. You may rely upon it, it is indis-

pensably necessary, & that our interests will suffer by delays.

Still in perplexity as to the outcome of the new differences between the Commissioners and the French Ministry, he wrote to Adams (January 20th, O. S.):

> We are still uncertain as to the State of the negotiations of the other belligerent Powers. You have not given me the least clue by which I might discover your own sentiments about them. Every thing with us here depends upon their favourable issue. Nay more, in my opinion, whether we shall have a general War in Europe depends upon it also; or in other words the former may depend upon the latter. For, judge you, if this is foreseen whether it is for the Interests of all the belligerent Powers to terminate the present War.

Dana's belief that Great Britain would be obliged to combine her armaments with those of the Empress in the event of a "general war" is revealed by a concluding paragraph.

> I shall hope for the earliest intelligence from you when the Treaty spoken of in your last shall be concluded. I wish you had explained yourself upon the following passage in that letter. "I should not be surprised if the *English* Minister to the Empress wou'd negotiate for you." Perhaps the Turkish war, and its probable effects upon the political systems may not have been taken into your calculations of events; or perhaps your particular negotiations may have afforded some special light upon this matter.

Adams probably based his advice upon the rumored understanding reached between the late belligerents as a result of the Reynevals Mission to London. Great Britain and France had come to a secret agreement to make common cause in opposition to any partition of the Sultan's empire. Thus quickly had the basic issues of the late struggle faded into the background. "Ocean

Freedom" was already a secondary interest when compared to the revival of the familiar perils of the "Eastern Question." But in these European quarrels Dana was determined America should be spared a part.

III

The prospect of a new European war which the kaleidoscopic changes of the Empress' Eastern policy now seemed to render inevitable had profoundly altered Dana's views respecting his own negotiation. The policy he adopted seems to have anticipated both the growing desire manifested by Congress to withdraw from European affairs and the later views of the Commissioners in Paris to the same effect. To Adams he wrote an important letter (January 15th) outlining his views of the now altered circumstances. Faced with new actualities he expressed a hope "that we may have the blessings of peace before this general conflagration breaks out, and as we have a world to ourselves, that we may form a system of politics to ourselves."

Dana thus prophetically outlined a system of foreign relations that under the administration of Washington, Jefferson and Monroe was to become the touchstone of America's foreign relations. The policy of isolation was thus boldly set forth. As he wrote to Livingston on December 30th,[6] the United States could no longer have the same interest in "Armed Neutrality" as before the signature of peace. He hoped to have the principles of Catherine's new code embodied in the still desired commercial treaty. Such a course would avoid both the commitments of an "alliance" and the "fees" demanded by the Tsarina's rapacious ministers. But while awaiting definite instructions concerning the "Marine Treaty" he informed the Secretary for

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[6] Wharton.

Foreign Affairs that matters connected with neutral rights would be kept "out of sight."

To the ever-sympathetic Adams Dana explained the situation as he now viewed it from the vantage point of St. Petersburg:

> In the first place let me thank you and the Dr. for the ready manner in which you have consented to my proposition. You say my Treaty may now be made as soon as I *please*. I shou'd rejoice most sincerely if that was the truth of fact. Besides what is said in my letter to the Commissioners, you are acquainted with the positive nature of my last instructions, and know that I cannot move till I am *advised* to do so. There are in my opinion no plausible pretences to countenance a refusal at this time. It wou'd mark so strong a partiality as wou'd throw all the dishonour of it upon Her Imperial Majesty.

Recognition was, of course, the first step to negotiation. His recent experience seems to have revived all his suspicions that Verac was the chief obstacle to his reception by the Tsarina although other forces were working towards the same end:

> Things are conducted here in so strange a manner that I cannot take upon me to say with certainty what wou'd be the effect of an immediate application. You will readily agree that all things considered, it wou'd be taking too much upon myself to make it. The Ministry are well eno informed of my business; yet they preserve a most profound reserve. Which, I think, is as impolitic as profound . . . Do they not see and feel that America is Independent? That they must soon speak it out? Will they wait till the moment shall arrive when the United States will not thank them for doing so? Will they suffer all the other Neutral Powers to take the step of their Sovereign In a measure in which she might lead them with so much glory to herself? Yes my friend, I believe, all these questions may be answered in the affirmative. Do you ask how this is to be accounted for? I can say in gen-

eral, they are looking for glory towards the East only when they might find no inconsiderable proportion of it in the West.

Dana's desire for an independent "system"—and to be rid of the tutelage of France—was aided by the course of events. Verac held that the preliminary treaty between England and her former colonies was signed in a fashion that made its validity contingent upon the further action of France and Great Britain. This, moreover, was consistent with the instructions issued by Livingston. Dana—even when urged on by the approval of the Commissioners—still hesitated to treat with the Russians except with the consent of the French Minister.

On January 27, 1783, Verac obligingly communicated to Dana a piece of important news: the preliminaries of Peace "between France, Spain and Great Britain" had been "signed in Paris on January 20/31." On the following day "the Ministers of France and Spain visited the British Minister" who "returned their visit." With these diplomatic amenities the war—so far as these exalted members of the court circle were concerned—was at an end. Even this decisive event, however, did not bring about any immediate improvement in the status of the American Agent. While Harris and Verac resumed a not unpleasant intercourse—the position of Dana was only rendered more conspicuously difficult by the close of hostilities. The situation was one that his instructions had not contemplated, and he resolved that continued inaction might soon cause him to appear ridiculous. The suddenly harmonious relations between the courts of Great Britain and France gave rise to fresh conjectures as to possible "secret articles" and "compensations" in the final settlement.

IV

On January 31st Dana intimated to Livingston that he would "make all convenient despatch in the business of the treaty" for the benefit of ship masters "arriving here early in the spring." [7] The French Minister still urged (with an urbanity that displeased the American Envoy) that "it would not be amiss to wait till the British Minister should have communicated in form the signature of the preliminary treaties of peace." [8] But on March 7th, as Dana reported to Congress, the great step of formally announcing his Mission to Count Ostermann was at last taken. Upon receiving "assurances directly from the private cabinet of her Imperial Majesty," he had formally "communicated his commission as Minister to the Russian Chancellery." Dana had, however, acted with caution. The "assurances" which were given by a "private friend" had been renewed in an interview with "a member of Her Majesty's private cabinet" identified as "S."

Before Dana's note was presented Bezborodko had assured Harris that "the Empress would certainly admit of no American agent at her Court till the exchange of the ratifications." The British Minister took malicious credit in a dispatch to Lord Grantham for having ensured Catherine's continued refusal to receive the American Agent. The Empress, he remarked with satisfaction, had even expressed her strong disapproval of revolutionary doctrines, and showed a ready disposition to distinguish between "the American Quarrel" and "the war between the European Powers." [9]

Dana's negotiations were at one moment upon the point of succeeding in spite of Harris' policy of *sabotage*. The British Envoy was "little satisfied with the

[7] *Ibid.*
[8] *Ibid.*
[9] Malmsbury.

reply" he at first received from Bezborodko, which he felt "unbecoming and even unkind." Alarmed by "vague and indefinite assurances" he turned in his dilemma to the "Great Favorite" suggesting that "the Empress at a moment when she was on the eve of war" must need "the influence if not the assistance of Great Britain." Perhaps with a hope that a few more golden eggs might be secured from his diplomatic goose, Potemkin decided that Russia had best refrain from measures that "would alienate forever the affections of the British nation." [10]

The motives of Harris' drastic action respecting Dana's overtures to Ostermann are probably to be found in his arrogant determination to delay as long as possible the inevitable. Harris pointed out to his subsidized friend, Bezborodko, that in the final Treaty, "the independence of America was not definitely constituted" and that to "negotiate with an American Minister before this event was declared publicly, would at least be a precipitate if not an unjustifiable measure." [11] It was perhaps too much to expect that a man of his caliber should have noted the more cordial atmosphere of the Anglo-American negotiations in Paris. In the negotiation of the "recognition" that had preceded the signing of the preliminary treaty—an evident attempt was being made to estrange and separate the Americans from the French. A different course on Harris' part would probably have suited the purposes of the British ministry to better advantage.

Russian prestige was moreover on the wane. With the coming of peace Catherine found that even the Dutch had means of showing their resentment at her abandonment of their "republican" cause. As Harris reported this shocking event, in refusing a loan for the

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[10] *Ibid.*
[11] *Ibid.*

"Eastern enterprise" the "Amsterdammers" insolently asserted that Russia's riches "were both equally imaginary and precarious."[12] Under such circumstances the value of a commercial treaty became more and more problematical. In Dana's estimation the earlier plan for a more general political treaty must now be abandoned. But in the attempt at securing *recognition* he still remained inflexible.

V

From the record which Dana carefully preserved of his dealings with Ostermann, the progress of his negotiation may be followed step by step:

> March 1. I received a verbal message from the Vice Chancellor informing me that he had received my Letter, but that it being the first week in Lent, he had not yet had an opportunity to lay it before Her Majesty. N.B. I was informed on the 27th of Feb: that such a Message wou'd be sent to me in a day or two—that the Letter had in fact been presented to her Majesty, and was under her Considered.
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> March 2. I was informed that Mr. Baconnin [Bakounin] a Member of the College of Foreign Affairs, had said that I shou'd probably not have an Audience before the conclusions of the Definite Treaty of Peace, at which time her Majesty in conjunction with the Emperor wou'd take the part of Mediators—that besides, my Letter of Credence must be dated prior to the acknowledgment of the Independence of the United States by Gt. Britain, which might make a difficulty in the mind of Her Majesty, & render it proper for me to procure new Credentials—that in the mean time I might have free access to any of her Ministers as I thought fit. I did not reply to my informant who had received these intimations from Mr. Baconnin, except in expressing a little surprise about them after the assurances I had received that all obstacles were entirely removed. Upon which he observed, that the Courier had since arrived on the 27th of Feby which brought despatches from the French Minister relative to the Mediation of the two Imperial

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[12] *Ibid.*

Courts. Of this the French Minister had informed me upon the 28th when he visited me for that purpose. I declined all particular conversation upon this subject with my Informant, telling him I shou'd doubtless soon receive an answer to my Letter to the Vice Chancellor, of which I wou'd regularly take notice.

The Vice-Chancellor's unctuous reference to his inability to lay the matter before Catherine "on account of her Lenten devotions" must have been made tongue in cheek. Catherine was, indeed, "occupied," but with "devotions" of a somewhat different nature. From that indefatigable chronicler of minor events at the Tsarina's Court, Waliszewski, it may be gathered that Lanskoi rather than the Lenten season was now the Empress' chief preoccupation. If Dana had been somewhat better informed concerning matters that were of common knowledge to every groom and lackey of the Palace, he would have been less inclined to deplore his failure to interest that flighty Sovereign in matters of a political nature.

Lanskoi's "reign," which corresponds with the duration of Dana's Mission, lasted for four years, interrupted by spells of illness brought on by the abuse of aphrodisiacs. During these crises, Catherine spent long hours at his bedside, refusing to transact even the most urgent public business. This was the state of affairs in March, 1783. To Potemkin (restored to favor and treated in her semi-official correspondence as "Papa," "Bow-wow" and "My Golden Pheasant") fell the task of directing foreign affairs. The result can be well imagined. It was perhaps fortunate for the peace of mind of that impeccable Secretary of American Foreign Affairs, Mr. Livingston, as well as for the Puritan Dana that they were spared knowledge of the real motives for the unaccountable delay in their negotiations which now occurred.

VI

"I am sick, sick to the heart," Dana now wrote to Adams, "of the delicacies and whims of European politicks. A nobler field of glory was never opened before a Sovereign. A Sovereign never loved or sought glory with more zeal, yet . . . When we shall meet again we will talk over these things."

In this moment of crisis he received an eloquent communication from Adams, confirming his former advice. The private correspondence of these two friends reveals a degree of understanding that permitted even exaggeration of language and expression strongly in contrast with the usual sober style of Novo-Anglican correspondence. From Paris (February 22, 1783) the former wrote:

> Whether the advice of the Marquis de Verac is for it or against it, I should think you would now go to the Minister. Your Instructions are Chains, Strong Chains. Whether you shall break them or no as we have been obliged to do, you are the only judge. There is a Vulcan at Versailles whose constant Employment it has been to forge Chains for American Ministers. But his Metal has not been fine and strong enough, nor his Art of fabricating it, sufficiently perfect, to be able to hold a Giant or two who have broken them in Pieces like morcels of Glass . . . It is a miserable Situation however to be in, and it is a melancholy Thing for a Man to be obliged to boast that he has departed from Instructions, who has so sound a regard to Instructions, and who thinks them when given upon true Information binding upon him in a moral Point of View as well as a political. But in such Cases where we know the Instructions are given upon mistaken Information, where we know that if the Principal were upon the Spot and knew the Circumstances he would be of the same mind with us, what shall we say? What shall we do? Must we ruin our Country in an Obedience to an Instruction issued in Error?

In all this imagery of "Vulcans" and "chains" Dana saw that Adams still suspected Franklin and Vergennes. A postscript suggested that Dana's commission authorized even broader negotiations. Adams enclosed for his perusal a letter from William Lee concerning possible recognition by the Emperor of Austria. For his friend's guidance Adams now threw out a broad hint that in the changed circumstances Dana might proceed with greater boldness and confidence:

> My answer to Mr. Lee is that you have a Commission to treat with the Emperor, as well as with all the other Powers who compose the Armed Neutrality, and my advice to you is immediately to communicate your Mission, to the Minister of the Emperor and the Ministers of all the other Courts which have acceded to the armed Neutrality.

To this heartening advice Dana replied (March 16th, O. S.):

> Your's of the 22nd of February has come to hand this moment, and has given me much satisfaction. I have always admired the noble and independent spirit of my friend; I but now see cause to admire it still more. You have conferred additional obligations upon, or to express myself otherwise, you have rendered additional services to your Country by breaking to pieces Chains forged to hold it in a state of subserviency to the Interets of others. God & your Country will approve the measure. There is nothing gives me more pleasure than your determination to return to America. I have only one request to make to you, that you will not decline a moment taking a seat in Congress after your arrival there. They want only proper information to lead them into proper measures; the turn of thinking there must be changed, and I know no man better calculated on every account to bring this about than yourself.

Dana's anxiety that he might have an interpreter in Congress familiar with the negotiations he was carrying on under such trying and mysterious circumstances, is understandable. Regarding Adams' further admonitions he was more circumspect:

> As to the extract of W. L.'s letter and your answer upon it, as well as your advice to me to communicate my mission to the Minister of the Emperor, and the Ministers of all the other Courts which have acceded to the Armed Neutrality; I think at present it is not adviseable to make this communication on that occasion. For first I have not any authority to make a *commercial* Treaty with the Emperor. And as to that part of my Commission which respects the Armed Neutrality or Neutral Confederation, I have long since upon Consideration, giving it to Congress as my opinion that America cou'd not become a party in it, or accede formally to the Marine Convention so long as she continued a belligerent Power; and also, that that Convention from its terms and nature, was limited to the duration of the War.

Dana was prepared like his colleague to assume responsibilities, yet he differed from Adams when such independence of spirit did not seem essential to the success of his Mission. In reiterating his stand respecting the Neutral Powers he was careful to explain the matter in some detail. The "joint letter" he had received from Paris intimated that the Commissioners there still maintained their illusions respecting the importance of the "League." Dana now entertained other views:

> I think it is not worth while for America *at this time* to pay near Five thousand pounds sterlg. to the Ministers of this Court for the liberty of acceding to the Marine Convention; and if it was, I have not the money at my disposal. . . . The communications you are sensible must be general to all the parties of that Confederation, and of course to this Court. To make the communication which wou'd amount to a proposition on my part to accede to the Convention, and not to be able it do it for want of what I know is essential to the end, wou'd be only to expose the honour of the United States without the prospect of any advantage. It is quite enough to pay Five thousand pounds sterlg. for a Treaty of Commerce

> with this Empire. I think it my duty therefore to keep the Marine Convention out of sight as long as possible, and to confine myself to the Treaty of Commerce, into which I have adapted the leading principles of the Marine Convention, and shall endeavour to conclude both points in one Treaty. . . . If I fail in this, I must exercise my discretion in some things, and as you have done, submit my Conduct to the judgment of those whose right it is to decide upon it. If they furnish me not with the means they must not expect the accomplishment of my Mission. I pray you to give me your advice upon these matters with the utmost freedom, and as soon as possible.

VII

Catherine's "indisposition" to consider serious business during her favorite's illness continued. Even her ministers were received at Lanskoi's bedside. Shut out from this dubious privilege the American Envoy chafed at her mysterious delays. To Adams, his unfailing confidant and comforter, Dana wrote from St. Petersburg on May 1st:

> The time of my departure will depend upon the Answer I may receive to my Memorial. I have no intention to sacrifice another Year of my life, in the manner I have already done near Two Years of it in this Country. I hope Almighty God has created me for some more useful purpose. If not; I shou'd be ashamed of my Existence.

In communicating his Mission to Ostermann Dana had not only acted in a sense contrary to the advice of Verac; he had also boldly overlooked the mandatory instructions he had received from Livingston. Yet Adams' leviathan example of "breaking his chains" which had resulted so successfully in Holland scarcely fitted his own problems. Unlike that independently-minded Envoy—his conscience reproached him for a course of action he deemed inevitable but to be deplored. The succeeding steps in his negotiation with Ostermann are set forth in his "journal":

> I was informed that my Letter had been returned by her Majesty to the Vice-Chancellor, and that I should receive an answer probably this day or tomorrow, which in substance wou'd be, that her Majesty was very well satisfied with the United States, and with my conduct & person . . . that she cou'd not however grant me a publick Audience till the conclusion of the Definitive Treaty of Peace between France, Spain, & Great Britain, at which She was to mediate in conjunction with the Emperor—that in the meantime I might have free access to any of her Ministers. This answer is in substance what was said by Mr. Baconnin as mentioned in the preceeding . . . omitting however that part which respects the Letters of Credence. This information came from the Gentleman, by a second hand, who had given me the assurances mentioned on the 22nd of Feby. and in confidence of which I made the communication of my Mission on the 24th. This sudden change may be owing to the request made by the three Courts mentioned that the Emperor & Empress would mediate as above; which arrived here three days after my communication, viz on the 27th of Feby.

The ponderous machinery of the "Mediation" had finally produced a result out of all proportion to the wealth of diplomatic intrigue wasted upon it. The part to be played by the Empress and the Holy Roman Emperor was at last agreed upon. What the jargon of diplomacy termed their "representation" was secured, and at the final conferences which were to mark the signature of the pending peace, their Envoys were to occupy the "Seats of Dignity." An event of far greater significance than these medieval formalities was reported by Dana as follows (March 22nd):

> I was informed that a commercial Treaty was on the Carpet with Great Britain, in which Russia was endeavouring to procure an Article That if the Parliament of G. Britain shou'd grant any bounties, or give any other especial encouragement to the United States upon the importation of Hemp or any Naval Stores into Great Britain, that the same shou'd be granted and given, or become common to Russia

when similar Articles shou'd be imported into Great Britain from thence.

Thus were Dana's suspicions confirmed that underlying the pompous ceremonial of diplomacy French and English policy was seeking very real and ominous commercial advantages.

VIII

On April 10th Dana confided to his journal the slow progress of his negotiation. A certain indifference now marked his own appreciation of the apparently endless diplomatic comedy he was playing with Ostermann:

> Sent my second Letter to the Vice-Chancellor, he sent me his Compliments & word that he wou'd order it to be translated & lay it before Her Majesty. . . . Had information after my letter of the day was left for the post. That it was intended this evening to send me a verbal message That the Vice-Chancellor wou'd be glad to see me tomorrow at Four o'Clock. This his answer to my first letter wou'd be of the nature mentioned in my letter of this day; but I shou'd be considered as a Person of a character which wou'd entitle me to the protection of the Laws of Nations, and that tho Her Majesty cou'd not give me a publick Audience, till I shou'd be furnished with new Letters of Credence, yet in the mean while, I might have free access to any of her Ministers.

In Ostermann's appreciation another step upward in Dana's slow progress towards the Royal footstool was thus admitted. The Empress was even "satisfied" of his "conduct and person," but the Envoy of a proud young nation—flushed with victory over the first power of Europe—could hardly be blamed for complaining that such treatment was equivalent to an invitation to remain indefinitely among the hangers-on of the palace anterooms and backstairs. As he indignantly wrote to Adams (May 4th, O. S.):

> You will see with astonishment, I dare say, the objections that have been raised against my immediate reception at this Court. . . . However I think it far from being a solid objection. The second is of so extraordinary a nature that it is impossible, in my opinion, that the United States can ever comply with it. If they shou'd incline to do it, it shall never be done upon my request. I wou'd perish before I wou'd propose it to them. If they have not lost all sense of their own dignity, and I believe they have not, they wou'd sooner resolve never to send a Minister to this Court, during the life of the present Sovereign. I have said all upon that point, that I thought it prudent to say in my Memorial; but you will at once perceive that I must have suppressed some very forceable arguments merely to avoid giving offence.

Ostermann's latest pretention (to object to a commission dated before the recognition of the Independence of the United States by Great Britain) tended to place the whole dispute upon grounds involving a delicate point of international law. The matter had already been solved—to the satisfaction of the Commissioners—in the recent negotiations with Great Britain. But in the absence of positive instructions Dana confined himself to giving Ostermann his private views. As he explained to Adams:

> It is not my business to embroil matters between the two Countries; quite otherwise. With this view I have openly disavowed all Instructions relative to the subject, and expressly desired that my reply may be considered as containing my private sentiments only. This leaves Congress at full liberty to avow or disavow whatever they think proper. They may sacrifice my reputation and character, if they judge the Interests of the Country require it; but I will never sacrifice the dignity of the United States by seeming for a moment to give into a proposition which I conceive wou'd be an eternal disgrace to them.

The American "agent" had now made up his mind. Like Adams, he opined that "the life of a Boston truckman" was far preferable to the diplomatic glories of St. Petersburg. His decision was, however, made to accord with the ritual surrounding those diplomatic mysteries of which Ostermann was the High Priest.

For this Reason I have resolved, after waiting a seasonable time for an Answer to my Memorial, if none shou'd be given, or the first be persisted in, to return with all speed to America. Which again will be the means of leaving Congress more at liberty to act, by affording them an occasion of sending another Minister here, if they sho'd incline to do it, without being under the necessity of revoking my letter of Credence, and granting me another, bearing date since the acknowledgement of our Independence by the King of Great Britain. I spare all reflexions upon this system if it can be called one, of politicks; and shall not attempt to account for it at this time.

CHAPTER XIX

RELEASE AND RETURN

I

THE influence of Catherine the Great on the course of the American Revolution—although few historians have remarked the fact—was neither accidental nor indirect. Throughout the years 1781–82 the outcome of the contest between Great Britain and her colonies turned upon the control of the sea. Had it pleased the Empress to wield the naval strength of the Armed Neutrality against the pretensions of the "Ocean Tyrant," the English fleets would have been forced to adopt a precarious defensive—and the American Revolution would have ended in the months succeeding Yorktown. Catherine by a stroke of the pen might have been the "Little Mother" of the Great Republic. John Adams, writing to Dana, pointed out again and again that in following such a course lay her certain road to "Glory." He was both surprised and disgusted that she refused.

But Catherine's period of ascendancy in European affairs ended in 1783. In April of that year she received the submission of the Tartar Khan of the Crimea at St. Petersburg. Potemkin, the Great Favorite, now Prince of Tauris and restored to favor, became his mistress' accomplice in pursuit of her Byzantine adventure. The ancient Greek trading cities of the south recovered their names, and took their place upon the enlarged map of the Empire. Turning her back resolutely upon the European scene, Catherine's policy was now wholly directed towards the Orient. The neglected conduct of her diplomacy in the West fell, more and more, into the hands of minor officials. It was this unpropitious moment that the "American Minister" chose to make his final application for recognition.

His interviews with the lay figure Ostermann were wholly unsatisfactory to Dana. They were, indeed, mere verbal repetitions of the views already communicated to the American "agent" through informal channels with which he was but too familiar. They resulted, however, in a long "Memorial" or brief drawn up by Dana with all the skill of argument that he could command. The sad fate of this monumental document elaborated with meticulous care is recorded in succeeding impatient entries in his confidential Diary. "Having had no account of the Effect of the Conference," he wrote on April 27th, "I sent the Vice-Chancellor my Memorial of this day." Later, on the 29th, he added: "Sent a part of it which had been omitted." The next entry does not appear until May 17th:

> Not having received any Answer to my Memorial, I drew up a Letter to the Vice-Chancellor as an ultimatum intending to send it tomorrow when it bears date, but my private Friend called upon me this Evening & told me I shou'd receive an Answer to it this week, which, as he was informed generally, wou'd be satisfactory to me, but that he knew not the particulars. This induced me to omit sending my Letter.

Dana now saw in this political indifference the chief obstacle to his commercial treaty—the one practical advantage he hoped to obtain from his Russian Mission. Yet as he wrote to Mr. Dumas, a former American Agent in Holland (June 9th), he had now drawn forth "assurances from the Sovereign of this Empire that such of the Citizens of the United States as affairs of commerce, or others, may bring into it, shall enjoy the most favourable reception and the full protection of the Laws of Nations."

These assurances were given on June 14th when Dana was again received in audience by the Vice-Chancellor whose altered manner tended to raise belated hopes concerning the final outcome of his negotiations. Ostermann not only declared that Dana had misunderstood his attitude concerning the date of his credentials, but also repeated with some earnestness his promise that the American Agent would be received in audience whenever a peace might be signed. Most important, he was assured that:

> The Ports of this Empire are opened fully to the Citizens of the United States, and their Independence completely acknowledged. Yet it has been thought expedient to postpone my audience till the Conclusion of the Definitive Treaty, on account of the Mediation. The moment that takes place I shall expect to take my proper station here.

In a final paragraph Dana jubilantly informed Dumas, that faithful and forgotten friend of America, that:

> The flagg of the United States is now displayed at Riga upon a ship of about 500 Tons, which arrived here the first inst. from Lisbon, commanded by Capt. McNeal. This is the first and only arrival of an American Vessel in any port of Russia. The impression it has made here is favourable.

II

But these minor encouragements had come too late to shake Dana's convictions regarding the now superfluous Treaty of the Armed Neutrality. From Paris on May 1, 1783, Adams had written a letter telling Dana of his future plans and treating the whole pompous business of the proposed European Congress with disrespectful republican levity. A seat in the American Legislature was much more to his purpose:

> I have received your favour of the 16th of March, and in answer to it, I do assure you that I do not intend to decline taking a seat in Congress, if any State in the Confederation shall think it worth while to offer me one. I am grown very ambitious of being a Limb of that Sovereign. I had rather be Master than Servant, upon the same Principle that Men swear at High Gate never to kiss the Maid, when they may kiss the Mistress. I should be very happy to sit along of you upon one of those Seats and rise up now and then and tell Stories of our Peregrinations, and of the Problems we have met upon the High Way.
>
> But you must not quit, till you have made your Treaty. . . . I beg you would consider what I write as hints, not as advice; that Reasons you give for not taking some are very conclusive and had not occurred to me. . . . They talk of a Congress and Mediation and Mr. Markoff is coming but there is no need of either on our affairs, yet We may be invited to join it, and who would not be ambitious of Sitting in with a Council of Celestials? or rather who would not be curious to know by what sort of Men this World is governed.

With this "sort of Men" Dana was only too familiar. They were the Ostermanns, Bezborodkos and other diplomatic popinjays who carried out Catherine's whims respecting foreign policy. Viewed in retrospect, the most important outcome of Dana's mission was the resulting distaste for the combinations of European diplomacy which it engendered. The Adamses—who were to become the most consistent and determined protagonists of "a set of separate interests" from Europe—were both closely connected with Dana, a fact not without significance in the final outcome.

The American "agent," in the light of his diplomatic encounters, became as convinced an "isolationist" as John Adams himself. Among the factors that first shaped America's "traditional" attitude tending towards a complete withdrawal from European affairs, was the influence later exercised by these returned diplomats upon Congress. Their experiences with the courts and diplomacy of Europe had convinced Adams and Dana that the machinery of European concert and mediation was but intended to flatter the vanity of sovereigns who, like Catherine, desired to be "consulted" in every important crisis. Dana wrote to Adams:

> As to the Congress and Mediation I agree fully with you that there is no need of either in our Affairs. . . . But how are you to be invited to join if there was, when objections are raised here by one of the Mediators, against the reception of a Minister from the United States. It wou'd be a curiousity indeed if it shou'd happen, and yet it wou'd not surprise me if it shou'd. When we once depart from fixed principles there are no inconsistencies and absurdities we may not fall into.

III

In view of the changed conditions following the Paris Peace Dana was now eager to abandon further attempts to establish relations—even commercial connections—with Catherine's Court. The immediate reason for this decision lay in the derogatory demand of Catherine's greedy officials for their fees. But another and more potent reason lay in the altered tone of Livingston's instructions. He wrote to Adams:

> I have been told *more than once,* we can have nothing particular here that wou'd render a Treaty worth the Expence of it. Indeed there might be some advantage in a political Connection. But this will be general to all Nations. The only difference by having a Treaty wou'd be paying the Duties in the Money of Russia instead of Rix Dollars.

The American Congress, as Dana was now made aware, had lost its former enthusiasm, not only for the Armed Neutrality, but also for the commercial treaty. Dana's own dispatches were largely responsible for this change. It was, therefore, an event for which he was not wholly unprepared—certainly one that he had few personal reasons to deplore.

Soon after reporting his second interview with Ostermann to the Committee on Foreign Affairs, the American Agent received further belated instructions from the Committee on Foreign Affairs, dated May 1st. In Livingston's most mandatory manner Dana was informed that "it is the wish of Congress rather to postpone any treaty with Russia rather than to buy one at this time." He was at the same time reminded that "your powers only extend to communicate with her Imperial Majesty on the subject of a treaty, but not to sign it." Dana, somewhat nettled, wrote Thaxter that Livingston "had been totally silent on some important points," and that he "dwells too long on his metaphysicks."

The reports of these and of subsequent important debates reveal the changed temper of Congress (May 21st). Respecting Catherine's new principles of Maritime Law and the once-admired League, they now expressed a fear "that to become part of a confederecy . . . may hereafter too far complicate the interests of the United States with the politics of Europe."[1] The instructions issued to Dana under the influence of these new considerations placed a limit of fifteen years upon the treaty of commerce. It was even suggested that if Dana "had not proceeded too far," these matters could best be "indefinitely postponed." The tenor of Livingston's report was to discourage further negotiation.[2]

The Secretary for Foreign Affairs, unknown to Dana, had united with Hamilton and Madison in a determined effort to bring the Russian Mission to a close. A committee in which these statesmen were the guiding spirits adopted a report concerning the Armed Neutrality, the language of which first embodied a phrase destined to become famous in its application to American foreign policy: "The true interests of these states require that they should be as little as possible *entangled* in the politics and controversies of European nations." [3] So ended, so far as Congress was pleased to concern itself with Dana's negotiations, all further effort to extend the principles of the American revolution to cover the realm of the "Ocean Tyrant." Out of the situation thus left pending and unsolved a new fratricidal war was to arise—but for the moment the aspiration to be free of "entanglements" outweighed every other consideration.

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[1] Wharton.
[2] Hildt.

Further instructions in the same tenor soon reached Dana from Livingston. These were dated Philadelphia, May 27, 1783, and read as follows:

> Since my last *a Copy of which will be transmitted with this* —Congress were pleased to pass the enclosed Resolution, limiting the term to which they conceive the duration of the Treaty of Commerce to be proposed to Russia should be confined, and directing that it should be in no way obligatory upon them, till they had revised and approved— This latter part of the Resolution—will I dare say make no difficulty, *since it only conforms to the powers you already* have, and which if you have made any propositions, must I dare say have been made under this restriction— You will find however that Congress do not wish to perplex or embarrass you if your propositions are not exactly conformable to their intention, but have left it to your discretion to proceed if you are too far engaged to recede with honour; but [they] are still anxious not to engage extensively in commercial Treaties till experience has shown the advantages or disadvantages that may result from them.

Dana might now congratulate himself on his independent conduct respecting Adams' advice "to break his chains." Permission was given by Congress to abandon all negotiations, and, rather handsomely, made contingent upon the state of affairs that in the Envoy's own appreciation might exist upon its reception. Under date of April 1st, it had been resolved:

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[3] Wharton.

> That Mr. Dana having intimated his intention of returning to America, Congress do approve of the same, provided that He should not be engaged in a Negotiation with the Court of St. Petersburgh at the time of receiving this resolution, in which Case it is the Desire of Congress that He should finish such Negotiation before He returns.

The above was not received by Dana until July 21st (N. S.) and he immediately wrote to Livingston that the long-sought ceremonial audience with Catherine would now, in his opinion, amount to nothing more than "inexpedient and useless ceremony." He saw in Congress' new determination nothing to regret except the time wasted upon the Commercial Treaty: "According to your letter it seems that Congress declines being at the customary expense of concluding a treaty with her Imperial Majesty, but you say also with respect to a commercial treaty (the only one I had any intention of concluding) none could be signed by me. . . . I confess that I had put a very different construction upon the passage alluded to." . . . Argument "with respect to the extent of my powers" he wisely determined was useless in view of his authorization to return. In a final interview with Count Ostermann, as he reported to Congress, the Vice-Chancellor seemed politely reluctant to have him leave—yet no obstacle was placed in his way.[4]

IV

His conduct approved by Congress, but one matter now remained to trouble Dana's dream of an early home-coming. In writing to Adams (May 21st, O. S.) he had already expressed indignation at the doubts cast by Franklin upon the validity of the Ministerial "fees" —or that he could have been "deceived" in such a matter:

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[4] Hildt.

> Touching the Gentleman's doubt whether the Credit was necessary, he may be assured I shou'd not have written for it if I had not been *certain* of the Custom. It is a matter of too much consequence, to be taken up upon slight information. The sum to be paid is 6,000 Roubles for each Signature, and there are generally Four appointed upon their Part. Which sum falls short of the Credit more or less, as the Exchange varies. I will not go beyond it.

In Franklin's suspicions Dana recognized the diplomacy of Verac. In order to defeat the desired commercial treaty the French Minister had resorted to the mean subterfuge of suggesting doubts regarding this transaction to Congress. French diplomacy had pictured the American Envoy as ignorant respecting the customs prevailing at Catherine's Court—or that he had become the victim of a bribe-taking official. The final straw had been laid upon the patient back of the diplomatic council. Moved to eloquence, Dana wrote to Adams (July 18th) a letter in which his indignation vibrates in every line:

> 'Tis done. The bolt of your Vulcan has hit its aim. The idea you mentioned to me some time since relative to the use of the Credit I had asked for, and which in reply I had told you was not new to me,—that the same had been repeatedly thrown out here by some persons, whom to suspect of sinister or interested views, would be deemed by some a most damnable political heresy—has crossed the Atlantic, & gotten possession of Congress. I am told they will not buy a Treaty at this day.

Yet even this point—touching both his honor and intelligence—could best be debated in America. Nothing now stood in the way of Dana's early return. In explanation he now wrote to the friend with whom he had so earnestly considered the duties of his mandate. In the new state of affairs even Adams must have approved his decision to leave St. Petersburg:

> I have several times acquainted Congress of my wish and intention to return to America as soon as I had concluded a commercial Treaty with Her Im: Majesty. In consequence of this, they have by a resolution approved of my returning "provided I should not be engaged in a Negotiation with the Court of St. Petersburgh at the time of receiving the Resolution, in which case, it is the desire of Congress" that I shou'd finish such Negotiation before I return. I am not engaged in any, as I have not yet had an Audience; and to *communicate* but not to *sign,* is beyond my comprehension, and I believe wou'd surpass theirs also.

CHAPTER XX

"MASTER JOHNNY"

I

AMONG the many causes of anxiety which had arisen to harass Dana during the last weeks of his stay in the Tsarina's capital not the least was a personal incident connected with his young secretary. The eminence later reached by John Quincy Adams, perhaps the greatest of that famous clan—and the fact that his earlier Russian experiences are not included in the latter's monumental "Memoirs"—make the reference to his earlier experiences found in the Adams-Dana correspondence of especial interest. It is evident, from the exchange of letters with the older Adams, that "Master Johnny's" affairs were always treated by his guardians with due seriousness. From St. Petersburg on January 14/25, 1782, Dana wrote:

> Your Son is in high health. He pursues his Latin, has translated Cor: Nep: thro out, and is just beginning upon Cicero's Orations. Do you think 'tis time for him to read History, and which shou'd you prefer? I have subscribed to the British Library here, where there is a good collection of English Authors. Wou'd it not be adviseable that he shou'd compose in French, and to that end that he shou'd write you in French? You will please to give him such directions as you think best for the pursuit of his Studies.

In addition to his rôle as Dana's companion the younger Adams seems to have rendered real service as Secretary of the Russian Mission. His knowledge of French was notably useful to the American Agent in his contacts with the French Minister, Verac. His foreign career, begun at the age of eleven (when he accompanied his father on the latter's first Mission to Europe in 1778), had fitted him for duties generally imposed on a far older man. John Quincy Adams was a phenomenon of diplomacy. Nurtured among parchments and protocols—the language and practice of international intercourse became second nature to this remarkable boy. His earlier "friends" were men of the great world of affairs such as Gerard, Luzerne and Franklin. All of these remarked upon his precocity and intelligence.

When the timorous secretaries and diplomatic hangers-on of Adams' Mission at The Hague—haunted by fears of Siberia—had refused to accompany Dana, "Master Johnny" had been chosen in spite of youth and inexperience. Besides his companionship, Dana had found the presence of a confidential secretary essential to the success of his Russian Mission. There was little exaggeration in the pathetic letter which Dana wrote to Adams from St. Petersburg on August 26, 1782:

> I do not ask you to consider this as a letter to you. I have written so much for several days that I am absolutely beat out, and my health besides begins to fail me. A most constant headach hangs upon me, and almost stupifies me. . . . Adieu my dear Sir, I hope you are happier at the Hotel des Etats Unis than I am here, about to be left by your Son, the only Countryman I have here, and to add to this, by a faithful domestic who will not weather out with me another of these frightful midnight Winters. Do say I had better quit the Stage and return to America, since I am no longer at liberty to pursue the plan you and I think the best, as well as the most consonant to the dignity and honour of the United States.

This exchange of correspondence concerning the younger Adams between two men deeply engaged in important public business reveals their respect and appreciation of his merits. From the consideration shown for his problems and attainments, "Master Johnny" seems to have been notably impressive. Those with whom he came into most intimate contact were statesmen, soldiers and diplomats, men professionally skeptical and disabused. His father's confidant, he had been a witness to the quarrels and incompetencies of the Lees, the little weakness of the *Grand Franklin,* and the tinselled splendors of Paris and Versailles. All these were strange contacts for an adolescent—nor was the lack of more youthful playfellows a wholly fortunate circumstance.

Much of that intellectual arrogance which marked the later career of John Quincy Adams may be traced to this premature importance. His earliest opinions were developed in an atmosphere of disillusion. One of the most remarkable men which America has ever produced, he was also one of the unhappiest in his relations with his colleagues. That he was aware of this defect, and suffered from its consequences is poignantly revealed by the most intimate pages of his diary. Born a perfectionist, his earliest experiences were of the shortcomings of the Great. "Master Johnny" was to pay dearly for his early privileges.

Yet the esteem in which he held "dear Mr. Dana" outlasted his earlier career. He gave the latter's name to the son who was to carry on his own traditions of diplomacy. Charles Francis Adams (who became in turn the chosen biographer of Francis' distinguished grandson) has left a warm and grateful tribute to this influence. The formative years of John Quincy Adams'[1] life were brightened by ties of affection which had grown up during these Russian experiences.

The nature of their unusual relationship is shown by Dana's letter of October 7, 1782, to young Adams' father:

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[1] C. F. Adams.

> Your Son I believe will go from hence in about a fortnight, by the way of Sweden and Denmark, when I shall be in a very lonely state, but still I shall be relieved from much anxiety about his education. The measure is necessary for his good. He wishes to be at his studies as soon as possible. I will give you some further particulars about his route, company, etc., if he goes. This course will be considerably more expensive than a passage by water in the Spring, which you proposed in your last letter, yet the *time* that will be saved by it will make a difference of expense an object of little or no consideration in your mind. The kind manner in which you have expressed your sorrow that you have been so long prevented writing me, has done my almost disconsolate heart great good. Your friendship I place among the most valuable blessings of my life.

It was not, however, until October 19/30, 1782, that Dana informed the anxious father of his Son's departure:

> Your Son sets off from hence this day for Stockholm. After a short residence there of 10 or 12 days he will go to Copenhagen, from thence to Lubeck, from thence to Hambourg, and from thence to the Hague where I hope he will arrive in safety about the middle or, at furthest, in late December. I have given him ample credit on his way, and many charges to be prudent of his money, as well as other proper precautions. He will travel with a Gentleman from hence as far as Hambourg. There he will take a place in the stage if convenient, & in five or six days he will arrive at your Hotel.

II

"Master Johnny" left the Russian capital on October 30th, in company with an Italian acquaintance, Count Greco—who is otherwise unknown to history. His final decision to leave Dana was the result of his own carefully considered desire to return to his studies at

Leyden. As the latest biographer of his remarkable family, James Truslow Adams remarks, this was "an extraordinarily sane view for a lad of what was for his own good." He was abandoning an "experience of great interest" wherein he had played a not unimportant part—yet he seems already to have felt the need of preparing for his own high destiny. After a journey delayed by bad roads and the accidents of eighteenth century travel he reached Stockholm on November 25th, where his companion apparently (and unaccountably) left him alone for nearly six weeks. The rest of his journey was delayed by heavy snowfalls and the freezing up of the Hamburg harbor, so that he did not reach his destination at The Hague until April 21, 1783, almost six months after his departure from St. Petersburg. In an earlier fragmentary preface to his great *Diary* John Quincy Adams wrote with tantalizing brevity concerning these travels and experiences:

> There is a character of romantic wildness about the memory of my travels in Europe from 1778 to 1785 which gives to it a tinge as if it was the recollection of something in another world. Life was new, everything was surprising, everything carried with it a deep interest.

A biographer of the modern school might seize upon the term "romantic wildness" to weave a disconcerting interpretation of the reaction of Master Johnny's Puritan complex in this first release. But if young Adams' "repressions" were ever uncorked during his long journey from St. Petersburg to join his father at The Hague —there is little evidence to show that the sowing of even the tiniest wild oat formed part of his program. The itinerary laid out was conscientiously followed mile by mile. Had he improved the occasion offered by this passage from Mentor to Mentor, the finger of blame could hardly be raised against the victim of so much authoritative care and good counsel. Yet it is probable that in his most delinquent moments John Quincy Adams thought of no blacker crime than to postpone by a few days—or weeks—the resumption of the paternal relationship.

From Paris on April 18th John Adams wrote to Dana:

> My Son was at Hamburgh the fourth of April, and I hope is at the Hague by this. The Reason of his amazing delays I know not. They have given me great Uneasiness, but Letters upon his Rout from Persons of Character Speak well of his Behaviour.

The following letter from Dana (February 14th, O. S.) must have crossed the inquiry sent by the fond father:

> I shou'd be anxious about your Son of whom I have heard nothing since the 13th of Dec. was it not that we have no posts from Sweden since his last. However he might have written to me from Hamboro or some other station on his rout, as I desired him to do.

Impeccable both as a statesman and diarist, John Quincy Adams, so far as the record reveals, had no cause to blush for his earlier experiences. His character, as a boy of fifteen is, however, no less engaging from the fact that Dana was able to discover in his Secretary and companion some traces, at least, of the faults of ordinary youth. In answer to John Adams' anxious inquiry Dana wrote (May 23rd) a letter which attests not only his confidence in his ward but a certain attitude which might be termed "good sportsmanship":

> I am relieved from much anxiety to learn by your letter, as well as Mr. Allen's that your Son has at last arrived safely in Holland. The time he has spent on his route is unaccountable to me. I have been greatly concerned lest this, as well as

> the expence consequent upon it, might be disagreeable to you. But on the other hand, it is some consolation that your Son has a Mind capable of making much improvement upon such a Route as he has made, and has now seen the greatest part of Europe. He has everywhere given a most favourable impression, as being possessed of very promising abilities; and I venture to say this opinion of him is well founded. But, my Friend, he is young, full of life and spirit, and seems to feel a certain superiority about himself.

"Superiority" in an Adams was a trait that even a fond father might understand and condone. But the suggestion contained in an ensuing paragraph must have given him cause to rejoice that his old friend had been willing to separate himself from his only secretary rather than subject his young paragon to the temptations of a licentious court:

> Your vigilence is necessary to controle & govern this disposition. You will remember I am writing to you as one Father wou'd write to another his particular Friend, touching a favourite and deserving Son. I have no where heard of any misconduct on his part, but an education in Europe rarely contributes to the establishment of a good moral principle in the heart; and this, I know, with you, is more worth than the most shining Abilities, accompanied with all the Graces about which a Chesterfield makes such a parade.

Dana's letter is also of rare interest from the fact that in a closing paragraph it indicates that the younger Adams had already determined upon a diplomatic career. This decision which was to result in much advantage to both this country's reputation and his own becomes apparent from the following:

> He is arrived nearly to that critical period which often fixes the complexion of a man's whole Life. I used to tell him, if he did not cultivate carefully this moral principle, whatever his Abilities may be, he shou'd never have my vote in Congress for a Minister of the United States. He will be able to give

you an account of some things here worthy of notice; and about which I have never written to you. You will caution him to speak of them to no one else.

III

An unpublished letter in the Dana Mss. from the younger Adams to Dana announced his belated arrival at The Hague. It is chiefly interesting as an early sample of the Adams style in personal correspondence. This masterpiece of Novo-Anglican repression reads as follows:

Sir Hague, May 12th, 1783

I arrived here about 3 weeks agone, and several circumstances have hindered my writing before now. Mr. Dumas gave me your letter of Jan. 27th when I arrived. You will without doubt have receiv'd letters from me since then Dated Gottenburgh, Copenhagen & Hamburgh. I took up at Stockholm 420 Rixdallers or 1250 Rixdallers the 28th of December, and at Hambourgh I took up 400 Rixdallers, Danish the 13th of March and 3rd of April. I have wrote to my Father about the 2 letters; he has ordered me to keep the one for him until he returns here. I shall soon go to Amsterdam and I shall then deliver the *other* with the map and the rest of the letters to Mr. Ingraham, and according to your injunction, I shall desire him to send *that one* by a particular vessel separate from your other letters. . . . My Father will not return here before the Signature of the definitive Treaty of Peace; when that will be, I can't tell, but it is expected every day. My Father intends to return here only to take leave, as he expects to return to our country this summer. . . . I inclose a list of the roads from Petersbourgh to Stockholm with some few directions, which will be, I hope, of some use to you. The only thing worth seeing in that road is the fortress of Sweaborg near Helsingfors but to see that you must have a permission from the Governor of Helsingfors (Count Posse) but as you are no Russian or Dane, it will be easy to get a Permission, by paying a visit to Count Posse. I shall soon send you a continuation of the roads, and remain in the meanwhile with much respect, Sir, your most obedient and humble Servant.

The younger Adams was a reluctant correspondent. During these Russian years, his mother Abigail, herself a notable letter writer, complained to his father: *"Do you* know I have not had a line from him in a year and a half?"

IV

To the "Master Johnny" of the earlier Russian years succeeded the masterful John Quincy Adams. Trained by his earlier experiences, he became the logical representative of his country wherever there was need for his somewhat tactless but always clear-headed and straightforward diplomacy. He served the Washington Administration at The Hague, in London, and Berlin, and negotiated a treaty of amity and commerce with the King of Prussia. The ambrosial locks fell away, revealing the round bullet head and the uncompromising brow of a middle-aged political realist. (There was, however, always present a curious streak of international sentiment in his otherwise skeptical make-up.) During these years of exile a desultory triangular correspondence was maintained between the younger Adams, his father, and his old chief, Francis Dana. When in 1802 he returned to Boston to take up an inevitable political career that soon placed him in the Senate, the old relations of friendship were renewed. Then came a parting of the ways. Dana's feet were already set upon a path sloping steeply to the Cambridge churchyard when Adams took a scarcely less portentous step in Federalist eyes. In crossing the abyss that separated his old party colleagues from the Jacobin entourage of President Jefferson, he became in the eyes of State Street as one to all social purposes already dead. From this difficult position he was happily removed by Jefferson's offer of a post abroad.

On the second voyage to Russia Adams travelled in all the state becoming to the representative of a country which after a quarter century of existence was already taking an important place in the councils of the nations. The Minister Plenipotentiary's party almost filled the good ship *Horace,* when they embarked from Gray's wharf in Charlestown. Mrs. Adams now accompanied him, and not the least important member of his suite was the baby, Master Charles Francis, who, like his distinguished father, first appeared upon the diplomatic scene in St. Petersburg. This namesake of the first American Minister (who was in turn to continue the family representation during the American Civil War as American Minister to London) was, however, but two years old. The party was completed by his wife's sister, his nephew, Mr. Smith, of Maryland, and two volunteers "who are going with me as secretaries attached to the Legation, but at their own expense." A black manservant and "Martha Godfrey who attends my wife as chambermaid," completed this not unimposing embassy.[2] (Martha Godfrey's beauty made her in the outcome a not unimportant member of the party, and the cause of an incident later to be noted in his diary.)

The diplomatic negotiations which ensued may be briefly noted because of the contrast they offer to the events of the Dana Mission. Adams' stay at the Court of the Tsar-Idealist Alexander, Catherine's grandson, wrote the preface to his career as Secretary of State in Monroe's cabinet. During his second stay in St. Petersburg he found that England's "exclusive maritime pretensions" and their "usurpation upon the rights of other nations" were still mutual grievances which offered the subject of a possible diplomatic *rapprochement* between the United States and the Russian Foreign Office. But Roumiantzov, the Vice-Chancellor, speaking in terms of balanced power, now welcomed the United States as "a part of the European system." It was essential to Russia, he affirmed with condescension, that "some commercial state should be supported as (England's) rival; that the United States were such a state, and the highest interest of Russia was to support and favor them."[3] The Tsar himself, he declared, was "daily becoming more strongly confirmed in this system."

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[2] Adams' Diary.

To his amazement the American Minister was somewhat cold to these advances. The political policy of the United States towards the Powers of Europe, the astonished Imperial Minister now learned, was "to forbear all interference in their dissensions." Smiling, thin-lipped, the American Minister waved aside the Imperial alliance. It was Russia that was now seeking the assistance of the United States, and under circumstances that must have appeared strangely gratifying to the former secretary of the unrecognized American Envoy at Catherine's Court.

[3] J. Q. Adams.

CHAPTER XXI

OUT OF THE VORTEX

I

LETTERS addressed to John Adams and the Reverend Edmund Dana in England give an account of Dana's uneventful journey from St. Petersburg to Boston. Both of these communications are dated from Elsineur in Sweden. To his brother he wrote:

> Having an opportunity to write you from hence by a vessel for London, I cannot fail to acquaint you that I am here on my way to America. I left St. Petersburgh on the 24th of August, O. Stile, and sailed from Cronstadt on the 28th in the Ship *Kingston,* Tho. Norwood Master, for Boston. We arrived at this place last Sunday, having had a passage of 20 days from Cronstadt, eight of which we lay wind bound in the Baltic port a little below Reval. We shall pass thro the Channel and touch in at some port there, Portsmouth if the winds are favourable. I wish circumstances wou'd admit of my visiting you and your family, and spending the Winter with you; when besides the happiness I shou'd enjoy, I shou'd probably have a more comfortable passage than can now be reasonably expected for America. It will be afflicting to me to be in a part of your Island and to feel myself under the necessity of quitting it without visiting you; but I pray you to be persuaded that public Considerations alone, will influence me to do this. I have every private motive to struggle with on this occasion.

His departure from the Tsarina's capital was accomplished without serious incident—and of course without ceremony. Harris, the British Envoy, to whom diplomacy had become a kind of personal contest, wrote to the Foreign Office concerning this event as though some great national advantage had been secured: "The American agent" had finally been driven from his post and "had left on the Duchess of Kingston's Yacht." The good ship *Kingston* of Boston was, of course, a far more respectable conveyance than the famous "pleasure-barge" belonging to Catherine's quondam friend, the frail English beauty, Sarah Chudleigh. Perhaps scandal never approached so close to the Puritan Dana as in this malicious coupling of his name with that of a notorious international adventuress—the friend of his fellow countryman, Sayre.[1]

Dana's letter to Adams (from Elsineur on September 29, 1783) gives a further account of this voyage:

> Shou'd we have a rough passage hence 'tis not improbable I may spend the Winter in England, chiefly with my brother, As we find on our arrival here, that the Definitive Treaties were concluded on the 2nd and 3rd of this month, and I am still that miserable wretch on the Seas you have seen me to be. I was not made for that unstable element; and we shall probably arrive on our Coast in the most dangerous season of the year. If I shou'd stop in England over the winter I will write you from thence, for I do not expect you will suddenly return to America. If the information of the Gazettes which I read at St. Petersbourg may be depended upon, you are destined for the Court of London, but I doubt this from what you wrote me about your return. However we may be disposed of let us not forget each other. I beg you to remember me affectionately to Mr. Thaxter & your son.

Bad weather prevented the projected visit to England and to his relatives there. The *Kingston* arrived in Boston on December 18, 1783, and a member of the inevitable Adams family was on hand to chronicle the event. From Abigail Adams her husband John learned of his friend's home-coming:

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[1] Malmsbury.

> While I was in town, Mr. Dana arrived very unexpectedly; for I had not received your letter by Mr. Thaxter. My uncle fortunately discovered him as he came up State Street and instantly engaged him to dine with him, acquainting him that I was in town and at his house. The news soon reached my ears—"Mr. Dana has arrived!—Mr. Dana has arrived!" from every person you saw; but how was I affected? The tears involuntarily flowed from my eyes. Though God is my witness, I envied not the felicity of others, yet my heart swelled with grief, and the idea that I, I only, was left alone recalled all the tender scenes of separation, and overcame my fortitude. . . . He tarried but a short time, anxious, as you may well imagine, to reach Cambridge. He promised me a visit with his lady in a few days, to which I look forward with pleasure.[2]

Dana's arrival was also more formally noticed by the United States in Congress assembled, as shown by their "resolve" of January 3, 1784:

> That the President inform Mr. Dana it is the desire of Congress to receive his communication relative to his Mission to the Court of Russia and to the disposition of that Court towards the United States as soon as the circumstances of his affairs and the season shall admit of his attending Congress.[3]

II

The outcome of Dana's Russian Mission had left him without regrets. In accord with the manifest desire of his countrymen, he had added no European entanglements to the burden of Congress. The United States, as he subsequently wrote to Adams, concerning the system of Europe was "out of the vortex of their politics and quarrels." He added with satisfaction: "We may rest in peace should Europe be involved in a universal conflagration." This accorded with the political philosophy soon to be developed by Congress as a desire for isolation became the popular attitude. The young Concord sage, Ralph Waldo Emerson, was soon to envision a theory of Two Worlds rigorously separated by an Atlantic Barrier. Jefferson would have filled the "abyss between" with "brimstone." The young Republic as a "carrying nation" would perhaps have had reason to thank Dana for some more definite contribution towards a code of sea-law, or even a commercial arrangement with the Tsarina. But the cost of such advantages had been set too high. The great diplomatic adventure was safely ended.

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[2] Adams Letters.
[3] Journals.

Dana by his masterly inaction had even carried out to the letter instructions from Congress that were never received! A formal resolution respecting Catherine's League had been passed by the isolationists while Dana was at sea. The zeal with which the Continental Legislature had sought European connections for their infant State during the early days of the struggle with Great Britain was now matched by a determination, equally strenuous, for a complete separation from their affairs. The seal of official approval had, unknowingly, been placed on Dana's conduct, when on October 29, 1783, Congress passed the following resolve:

> The acquisition of support to the Independence of the United States having been the primary object of the Instructions to our Ministers respecting the Convention of the Neutral Maritime Powers for maintaining the freedom of Commerce, you will observe that the necessity of such support is superceded by the Treaties lately entered into for restoring peace. And Although Congress approve the principles of that Convention as it was founded on the liberal basis of maintainance of the rights of Neutral Nations and of the privileges of Commerce; yet they are unwilling at this juncture to become a party to a Confederacy which may hereafter too far complicate the interests of the United States with the politics of Europe; and therefore if such a progress

> is not already made in this business as may render it dishonorable to recede, it is the desire of Congress and their instruction to each of the Ministers of the United States at the respective Courts in Europe, that no further measures be taken at present towards the admission of the United States into that Confederacy.

Perhaps intended by the adversaries of the Adams faction as a measure designed to embarrass Dana in his negotiations—the outcome of his Mission so nearly corresponded to the desires expressed by Congress, that the explanations required of him offered no serious difficulties.

III

From the ship *Kingston* in Boston harbor (December 17, 1783) Dana wrote to the President of Congress informing him of his arrival. In the meantime he received a rather disquieting letter from his censorious friend Gerry, one of the Massachusetts delegates (dated Annapolis, January 6, 1784):

> I have but a Moment, to express the Pleasure I feel at the News of your Arrival, after knowing your Determination to leave Petersburg, without an audience, or finishing the business of your Mission; but I am exceedingly mortified at the Circumstances last mentioned, because I think that a Treaty with the Court of Russia was necessary for the Extension of our Commerce, that it would have conciliated the affection or rather the political Friendship of the Empress, & that if there was any Honour in the Negotiation, you was justly entitled to it. But as the Measure is defeated by the Intrigues of a European Court, added by her Dupes in America, your presence here will be necessary, as well to prevent the ill Consequences which may result from your sudden Departure from that Court of Russia, as to do justice to your Merit.

This somewhat ominous tone warned Dana that a faction among the Federal Fathers was preparing to make the most of the opportunity offered by his return to ask some embarrassing questions. A new inquiry was pending concerning the way in which American affairs had been conducted in Europe. The resourceful Gerry now proposed a scheme to outwit this intrigue:

> I have taken the liberty [he wrote] of recommending to a particular friend of mine, your appointment to a Seat in Congress, & wish for your assent to the Measure, if you continue a Member but one month, for reasons which you wou'd approve of if present.

The political air currents that so readily deviated Gerry's views were now blowing up a gale against the "aristocratical party," and their disposition to criticize Dana led the "Gentleman Democrat" [4] to extend a somewhat patronizing hand to his old comrade of Harvard days.

From biographical notes furnished by William Ellery to Dana's son it appears that this election or "appointment" was soon obtained:

> In February 1784, he was elected a Representative to Congress until the first day of November in that year; and on the 24th of May attended, produced his credentials and took his seat; Congress then sitting at Annapolis. I was in Congress that Session. I have inspected the Journals of Congress, and my private journals, when I went with him to York town, and returned with him to Philadelphia and would have examined his letters to me; but have not found one of them. I may have sent them to you. From the former I have taken what relates to his being twice elected a member to, and his attending twice in Congress; from the letter the time only when I accompanied him to and from Congress, there being nothing in them but incidents which are not worth copying. In Congress he did not speak often, but when he did it was ad rem. It was told that after I left him at Philadelphia, Gouverneur Morris, on a motion of importance, replied in an un-

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[4] Morison, *N. E. Quarterly.*

becoming manner to the observations your father had made on the subject of it—that this kindled his resentment, and produced an answer so full of fire and force as completely silenced him. This rebuff raised to a high pitch the reputation of your father's intellectual and oratorical powers.

IV

But in spite of Dana's anxiety to present his diplomatic report to Congress, he was obliged to postpone his departure on account of illness, as the following correspondence with Gerry sets forth. The latter wrote (Annapolis, April 26, 1784):

> I was favoured with yours of the 3d. I am very unhappy to be informed of your Indisposition; I hope however it will not be of long duration. We propose to decide this day the question of Adjournment; if it passes in the affirmative, a Committee of the States will be appointed, & I shall urge the Election of yourself, to represent Massachusetts; if the Adjournment should be negatived, Congress will probably continue sitting till the convening of a new Congress; so that in either Case, it will be necessary that you should lose no time, in setting forth for Annopolis. . . . I have not the least Doubt of succeeding in your Election before mentioned, in case of adjournment.

The author of the "Gerrymander" was equal to every political occasion. His anxiety that even an adjournment should not prevent Dana from attending is explained by the following paragraph from the same letter. Livingston, the Secretary for Foreign Affairs, who had been so critical of Dana's course in St. Petersburg, had now resigned and his conduct had become in turn the object of an "inquiry" by Gerry and his faction:

> That there had been extraordinary Conduct in the Department of Foreign Affairs I had no doubt; but was never able from the beginning of August last, till some time in last Month to obtain Access to the foreign papers . . . The

> books & files are now subject to the perusal of the Members, but the Cyphers necessary for coming at some of the most confidential Letters are *not to be found.* I have desired Mr. Remson, under Secretary, to write to Mr. Livingston, & the answer is daily expected; but for a young Republick I think *we have made a great progress in the Arts of Intrigue & Corruption.* My time is so engrossed in other important Matters, that I cannot find a Moment to examine the books and papers mentioned & have been ardently wishing to see you here, before I leave Congress, being in daily expectation of your arrival. I engaged a *room* for you in our Lodgings, which are by far the best in this Place, but you are not under the necessity of taking *it,* unless it corresponds with your Convenience.

The letter ended with a paragraph indicating the new direction of prevailing political winds. Like a weathercock Gerry was now pointing the way to "isolation":

> Your Measures at the Court of Petersbourg, so far as You have communicated them to Congress, have done you great Honour. Your opponents, who consist of only a few partizans of the Aristocratical Circle, acknowledge this to be Fact; indeed the Denial would injure their Reputation, & not yours. I am therefore from what has appeared, very sure, that what remains to be communicated, on your Part, will be acceptable to Congress, & very much so, to those who wish to support you.

Dana's personality was not one to excite political enmities. He was happy to have gained Congressional approval, happier still when his almost immediate choice by his fellow citizens as their representative in the national legislature gave further proof of the conviction generally held, that his mission was successfully accomplished. Among his neighbors it was believed that under trying and irritating conditions he had maintained the dignity and credit of his country abroad.

Public opinion was now more than willing to await a time when:

Patriot States in Laurel Crowns may arise,
And ancient Kingdoms greet them as allies.

The thought was indeed somewhat insufficiently expressed. Mrs. Mercy Warren, the patriotic poetess of Plymouth, Massachusetts, had overlooked the now general desire for separation from *all* transatlantic connections. A vigorous young nation, already travelling the road to prosperity, asked for no "allies." An indifferent and immoral Tsarina and her dubious Leagues and Mediations had lost all glamour. America had adopted the extreme Whig standpoint—and viewed the System of Europe as "Kings balancing straws on their noses." Mr. Dana's departure before securing recognition was generally approved.

There were, however, dissenting voices, notably among Dana's own neighbors. Mrs. Warren—whose once esteemed "History of the Revolution" with "Biographical, Political and Moral Observations" was much better than her verse—further suggested that "Mr. Dana lacked a knowledge of Courts." This she considered especially necessary "for a negotiation at the Court of a despotic female." Her intimation that in Dana's case "the choice of the Congress was not as judicious as it might have been" excited a polemic whose bitterness can only be explained by the partisanship of both parties to the Adams-Warren feud that raged throughout New England. Dana's interest in diplomacy was henceforth that of a spectator.

For nearly a decade the isolationist policies of the American Congress held the new republic apart from Catherine and her Empire. Even the signing of the definitive treaty of peace was accomplished, so far as the United States was concerned, without the High Mediation of the two Imperial Courts. John Adams, with a certain inconsistency, later held that their signature "would have made a deep and important impression in our favor."[5] But the pompous ceremonial occurred without American representation.

In 1785 Count Vorontsov, Catherine's Minister at the Court of St. James's, hinted cautiously to Minister Adams that the United States should "make advance to his mistress."[6] But Adams had shared Dana's humiliations in the days of America's necessity and none was ever made. England and Russia had come to an inevitable difference in the pursuit of their Eastern policies. Congress—more than ever shy of "entanglements"—remained without enthusiasm for the suggested connection. Then came the great "Crime against Liberty," Catherine's final partition of the Polish republic. It was not until after the Tsarina's death, during the period of the outrages inflicted upon American commerce by the French Directory, that the Armed Neutrality became once more an issue of practical importance.

[5] Hildt.
[6] *Ibid.*

CHAPTER XXII

CONGRESS AND CONVENTIONS

I

DURING this early period of Congressional service Dana received a letter from Adams dated Auteuil, November 4, 1784. This communication amounted to a short essay on government from the viewpoint of one whose ambitions were also turned towards a seat in the legislature of his country:

> I presume this will meet you in Congress where no doubt it is less irksome to serve than heretofore, but not yet so agreeable as it ought to be, and must be made. The States will find themselves obliged to make their Delegates more comfortable, more honourable if they do not see a necessity of giving more Power to that assembly. Many Gentlemen in Europe think the Powers in the Confederation are not adequate. Abbe de Mably and Dr. Price have taken the Pains to publish their advice. They may be right, but I am not yet of their opinion.
>
> But most certainly the Resolutions of Congress must have weight and the Members should be the best Men. While the Principal Men in every State should prefer to be Governors, Magistrates at home, which will be the case while they can live with their families in more comfort and greater Ease, it cannot be expected that the Decisions of Congress will have the Weight which they had while those who had the first Place in the Confidence of the People, composed that Assembly. I suppose at present although some of the first Characters, are in Congress, the Members in general have less Influence than many of the Magistrates at home.

Adams was now earnestly considering his own future and the relative advantages of a diplomatic and a Congressional career. The former, by force of circumstances, was to be his lot. Dana, by temperament far better fitted for the disillusions of diplomacy than Adams, sought no renewal of foreign service. To his old friend, who in spite of hesitations and home-sickness had accepted the London Mission, he wrote concerning affairs at home and abroad (from Cambridge, December 12, 1784):

> This day twelvemonths I arrived at Boston from Europe, and when I consider that I have never written to you since, I am almost ashamed to do it now; indeed I shou'd be quite so, if I did not recollect that you yourself have been guilty of the like omission towards me. Being persuaded that neither of us have waited for the ceremony of a first address from the other, before we renew our correspondence, I have resolved to do it without any further delay. As some sort of apology for the above omission on my part, as well as for another, I beg leave to acquaint you, that a few days after I had reached home, the effects of disorders contracted in the North, broke out upon me in so violent a manner as to unfit me for writing, or any business, and to confine me to my house more than three Months, except one excursion, which, wrapped up in my Russian furs, I made to Hingham to seek a place for my Son's instructions. But for this misfortune I shou'd most certainly have written to you shortly after my arrival. A strong inducement to me to venture abroad before I had wholly recovered, was to pay my respects to Mrs. Adams. . . . The short time I was able to be abroad before I set off for Congress, was too fully occupied to admit of my visiting her at Braintree, and she had sailed before my return home. Thus much by way of explanation.
>
> Our daughter was born on the 29th Septr. last. She is not named Hariot, as Mrs. Adams requested, but *Martha Remington* after our much esteemed late Aunt. I have told Charles he must make our house a resting place in passing from Braintree to Haverhill, or vice versa. Master John seems wholly to have forgotten me. He shou'd now & then, when you are too much engaged, entertain me with a Mess of European Politics. By our late public accounts they begin to

> assume a very serious aspect; and to be between Emperor & the Dutch wrought up into a Crisis, so that a feather wou'd seem sufficient to turn the scale. Shou'd a war break out between them, I think, there can be little room to doubt but all the principal Powers of the Continent will fall into it one after another.

Congressman Dana then "thanks Heaven" for "our distance" from the familiar quarrels of European diplomacy. He was about to be free of such matters—even the anxiety of passing upon them as a legislator.[1]

Early in the year 1785 Dana resigned from Congress and returned to the practice of the law. His reasons for thus abandoning public life were set forth in another letter to his "dear Friend" written from Cambridge, January 30th. This throws an interesting light not only on the hardships of legislative service but also upon a growing national tendency:

> I received your favour of the 4th of last November two days ago, by the way of New York. This is the first I have been honoured with a letter from you since I left Russia. Of this I have no just ground to complain as I never wrote you after my return home, till the 12th of last Month, by a ship from Boston for L'Orient. Your Letter wou'd have found me at Congress agreably to your expectation, had our State, in your own words, made their Delegates more comfortable and more honourable: but the contrary having been the Case, I found myself under the necessity of resigning my seat in Congress for the currt. Year. The last year our Delegates had their expences defrayed, and were allowed 20/ a day during the time they were actually engaged in that service. The present year their whole allowance, if I mistake not, is five & an half Dollrs. a day, a sum not more than sufficient for their expences. None therefore can attend Congress but such as have independent fortunes (and among the few we have of this sort, I know not one all things considered, fit to be intrusted with that office) young ambitious Gentlemen who have not yet formed their political characters or others

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[1] Adams Papers.

> who are free from the encumbrance, if I may be allowed the expression, of a Family. Yet such is the state of things that we can only lament the effects of this misplaced economy, and cannot promise ourselves that our Genl. Assembly will be brought to see the ill policy of it.

Dana had already occasion to complain of Congressional meanness in connection with his experiences at Valley Forge and during his Russian Mission. As an alternative to ill-paid diplomacy he now proposed a drastic reform: No foreign representation whatever, he believed, was to be preferred to "the economy of Congress" "in reducing the salaries of their Ministers abroad":

> I have spoken freely against this last measure, which must be attributed to our late Financier, as the proposition came from him, because I cou'd do it from certain knowledge, and with disinterestedness. The same kind of a Man as I have mentioned above, will alone be willing to sustain those important stations. I call them important meerly because we think proper to continue them: but there is nothing clearer in my opinion than that our Interests will be more injured by the residence of foreign Ministers among us, than they can be promoted by our Ministers abroad. The best way to get rid of the former, is not to send out the latter. And therefore let those already appointed die off, or resign as fast as they may, I never wish to hear of another being sent to any Country or Court in Europe, after we shall have settled our commercial Treaties with them. Consuls will then answer our purposes, that of protecting our Citizens in the full enjoyments of their Rights under such Treaties.[2]

The following paragraph regarding consular representation is of no little interest as the opinion of one with experience of European Courts:

> Speaking of Consuls brings to my mind our Convention with France regarding them, which I cannot but reprobate. . . . It is a question in my mind whether they had a right to

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[2] *Ibid.*

> enter into stipulations which exempt those characters from all jurisdiction both criminal and civil, of the particular State in which they shall reside, and set them above all Law. Whether it shou'd be ratified or not, I hope our present Ministers [sent] abroad for negotiating Commercial Treaties, will be cautious how they grant similar privileges to the Consuls &c, of any other Nation, either by express stipulations, or under the common clause of their enjoying all the benefits of the most favoured Nation. To do this, wou'd be to plant petty Ministers, or in other words, Spies and Instruments of Corruption all over our Country, who will not fail to create parties, & blow up factions, destructive of its Peace, and growing Greatness. I wish to say much more to you on this subject, but your penetration probably anticipates everything I can wish to say upon it. In one word, May we be constantly on our guard against foreign Influence, from whatever quarter, in our public Councils, &c, &c. We have a world to ourselves: and if we do not know how at present, we shall learn to govern it as well at least as any part of the Globe is governed, and sooner and better without foreign interference than with it.

In view of the part played by the Adamses in the building up of an "American System" this earlier correspondence is not without significance. For this privileged "world to ourselves" a closing paragraph in Dana's letter outlines a system of policy:

> We are told that the battle is not always to the Strong &c, are there no Powers in the world who foresee, & begin to be apprehensive of our certain and rapid progress, while we are at peace among ourselves, to a state of National Force and Grandeur not inferior to the most powerful of them all? Wou'd not some of these, especially those of them who have *Colonies* in our vicinity, rejoice at the occasion afforded to rend this Empire in twain? Wou'd they not to this end, support the weakest, and continue the contest untill it shou'd be effected? . . .

II

Dana's return to Boston was but to mark the beginning of further public service. In a postscript to the above letter he imparted this news (February 19, 1785) to his correspondent:

> Govr. Hancock resigned the chair on the 17th last. A few days before, he appointed me to a seat in our Supreme Judicial Court. A measure perhaps not purely his own. I am undetermined whether to accept it. There are many Candidates for the Chair: so that it seems probable there will not be an election at large, but by the Assembly in failure thereof.

On April 10th he again wrote to John Adams. The important decision he had reached now definitely altered the course of his career. Henceforth his ambitions were those of a jurist:

> Since my last I have accepted a seat upon the bench of the Supreme Judicial Court, and shall enter upon the Western Circuit this week. 'Tis my intention to make a trial whether I can hold the office without breaking in upon my private income. If I cannot I shall resign at the end of the year, for in such case it wou'd be the height of folly to continue in it.

A letter written from Cambridge on June 4, 1785, informs the same correspondent of a budget of domestic happenings and expresses Dana's satisfaction concerning the development of the foreign situation:

> I am glad to hear that John is about returning and that you intend him for the Law; I suppose that you will first enter him into our University perhaps in the Senr. Class. In this case I shall be happy to show him every attention in my power, and indeed in every condition of life. I, my friend, have not been at the Bar since my return, not owing "to the prejudices of the World," but to my having been appointed to a seat upon the Bench. The smallness of our Salaries may induce me to quit the Bench and return to the Bar.
>
> We are still in suspense concerning an European War, we flatter ourselves we should reap essential benefit from one, by becoming, under the Neutral System, Carriers for the Bellgerent Powers. I agree with you it is our Interest to "keep the Peace." I find by your letter you had not heard of your

appointment to the Court of London. I presume you will be there before this reaches you. I hope you will meet with better success in your negotiations than you seem to expect.

We are embarrassed in our commercial concerns by their vigorous extension of the principles of their Navigation Act to us. Should they refuse to enter into a liberal Commercial Treaty, Time will show them that we both can, and shall retaliate upon them, and that they are going on to their own destruction.

Mrs. Dana joins me in begging yours, Mrs. Adams', Miss Nabby, Mast. John's acceptance of our best regards. Mrs. Dana is sensible that she is indebted to Mrs. Adams, but knows not how to address her in her present exalted station. We have lately removed from the old habitation to *Mount Pleasant* about midway between Col. Phips's and Mr. Inman's.

Dana was now wholly occupied with domestic concerns, and as his foreign experiences receded into dim and distant memories, he devoted his recovered energies to the issues of national politics. His early opposition to the "aristocratic party," perhaps too readily assumed by Gerry, was lessening day by day. With the rise of a triumphant and overassertive democracy, he began to fear a popular danger. While never an extreme reactionary—as his enemies asserted—Dana was by nature a Federalist long before that party came into being. There were many reasons to urge an educated New Englander to follow this course. Having evoked the spirit of Demos from the vasty deep, the men who were soon to call themselves by the name of "Democrats" found that they had forgotten the magic word that would bind the giant to their bidding. Following Shays's Rebellion men of property in Massachusetts drew together under the guidance of the Essex Junto.

In the opinion of Judge Dana and his friends of the conservative party, an inordinate and irritating self-confidence was now manifested by the "unlearned" in their own ability to decide abstruse questions of government according to immediate requirements,[3] rather than in the light of statesman-like foresight. The "commonalty," as Adams complained, had "discarded from their confidences all the old staunch, firm, patriots" and notably those who were versed in "the pernicious practise of ye law." [4]

The summoning of the great Constitutional Convention in Philadelphia was the occasion throughout New England for drawing taut a line of demarcation between an "upper" and a "lower" class. Constitutions, and constitution-making, were no novelty to the people of Massachusetts. Beginning with the "Constitutionalists" of the "Free Berkshires" in 1776, the people had been called upon no less than six times in as many years to pass upon the merits of different systems of fundamental law. To the mechanics and farmers of New England the great business of establishing a national government had fallen into much the same category of routine legislation as the devising of rules for pasturing cattle on the village common or the building of a bridge for a country road.[5] In the opinion of Dana and his lawyer friends such casual methods seemed especially to be deplored.

In spite of the prevailing distrust of lawyers, Dana's popularity with all classes in Cambridge and his position on the Supreme Bench made him the logical representative of his fellow citizens at the Constitutional Convention which was now about to assemble. His name appears first in a commission which Governor Bowdoin addressed to a chosen group of the "first citizens" of the commonwealth. This gave him a certain seniority over Elbridge Gerry, Nathaniel Gorham, Rufus King and Caleb Strong—all men of substance and "of the law."

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[3] Harding.

[4] J. Adams.

[5] Harding.

While realizing the importance of the crisis, he was prevented from accepting the Governor's appointment by the state of his health (never entirely recovered after his long stay in the climate of St. Petersburg). Dana took no part in these great proceedings. His illness seems also to have interrupted his regular correspondence, and the Dana Papers contain no reference to the important events in Philadelphia.

The draft of the Constitution as recommended to the people by the Convention was received in Boston on September 25, 1787, and was soon made available to all citizens of the state who could read and write.[6] The first impression was generally favorable. In aristocratical Boston, as General Knox wrote to a friend, it would have been better liked "had it been higher toned." Then the inner history of the discussions and compromises that had preceded its adoption became known, and cause for argument was furnished to the new "Anti-Federalists" faction. Their suspicions soon flamed into a sturdy popular protest. The opposition to the "Federal Plan" was led by Dana's friend and correspondent, Elbridge Gerry.[7] In concert with Richard Henry Lee—now the acknowledged leader of a nation-wide opposition to the "new system"—Gerry, as delegate, communicated his objections to the Massachusetts General Court.[8]

A pamphleteering war broke out against the plan of Federal Union that rattled every shingle of the "New Roof." Samuel Adams (Candidus) attacked the "Federal Plan" with vigor in the columns of the Anti-Federalist press, while "de Witt," "Hampden" and a "Watchman" all echoed his warning: "Be cautious." There is evidence that this wordy war was followed with increasing anxiety by Dana. He began to prepare the arguments used by him in the ensuing debates and wrote letters to refute the views of the anonymous patriots of the press.

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[6] *Ibid.*
[7] *Ibid.*
[8] *Ibid.*

A State Convention was now called to decide upon the question of ratification. Gerry, emboldened by the popular clamor, presented himself as a candidate to the strongly Federalist electorate of Cambridge. This rash invasion of Dana's political territory ended in a defeat that was soon to embitter their long relationship. Although he had not yet recovered from his attack of illness, Dana accepted the mandate of his fellow citizens. The prestige of his family is shown by the fact that the second delegate from Cambridge was also a Dana (Stephen).

III

A much-discussed personal clash between Dana and his old comrade and classmate, Elbridge Gerry, formed a prelude to the debates on the Constitution. The catastrophe might have remained political. It marked, however, the division—rather the abyss—that was henceforth to separate the members of the "democratical" party from the men who soon called themselves "Federalists." This became a difference that no ties of friendship or mutual service to the country could bridge over or excuse. In a recent number of the "New England Quarterly" Professor Samuel Morison [9] has drawn a revealing picture of Gerry that goes far to explain the inconsistencies of his character: "Gerry was always changing sides." At the Philadelphia Convention, he had at first aligned himself with the friends of a strong central government. But in the discussions that arose over a "standing army," he shifted his ground. This curious patriot who had never smelled powder during the

[9] Morison.

struggle for liberty now saw "military dangers" on every hand. In the outcome, he refused to sign the constitutional draft—and circulated among his constituents a long list of his "objections." With Rufus King, another confirmed civilian, he launched an attack upon a favorite peril of the revolutionary "slacker." Their suspicions were aroused because the Military Order of the Cincinnati had "held a general meeting of deputies from all the States." "The times," King observed, "are critical." Non-combatant statesmen now felt themselves called upon to save the country—and to vindicate their own careers![10]

Reasons of old friendship led Dana to acquiesce in an equivocal arrangement which had been sought by the Cambridge Anti-Federalists. In view of Gerry's attendance at the meetings in Philadelphia the "unlearned" demanded that he should be allowed to sit on the floor of the Convention to "answer questions." Such a scheme but invited the troubles that did not fail to ensue. For three days Gerry sat glum and silent in his place, "waiting to be consulted" and "biting the top of his cane."[11] Then as King informed Madison, who in turn diligently reported the matter to Washington, the following scene took place[12] (January 19th): "Mr. G., *unasked,* having informed the convention that he wished to communicate some matters of importance . . . Mr. Dana and a number of the most respectable members remarked upon the impropriety of Mr. G.'s conduct." Prevented by "a number of objectors" from answering, the furious "Mr. Gerry charged Mr. Dana with a design of injuring his reputation." The charge "drew a warm reply," while, as Madison significantly observes, the members "as they were for or against the Constitution took sides."[13]

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[10] Morgan Library Mss.
[11] Madison.
[12] Madison's Writings.
[13] *Ibid.*

The whole incident was not unimportant, as marking the growth of faction. Gerry now presented his side of the case in a long letter to Judge Cushing. Complaining that his "situation on the floor of the convention was not eligible" and reduced him to "a humiliating condition," he exposed his views upon the question at issue. (The matter debated was the now not untimely matter, whether the "lesser states" should have an equal representation in the upper chamber.) Gerry's political views are left somewhat in doubt. There can be no question, however, concerning the feeling he entertained towards his quondam friend, Judge Dana:

> I soon perceived it [Gerry's presence as an observer] was misunderstood by the Honorable Judge Dana who rose with an appearance of party virulence which I did not expect and followed one misrepresentation with another by impressing the house I was entering into the debates. I requested leave to explain the matter but he became more vehement and I was submitted to strictures from several parts of the house until it adjourned. If Judge Dana was apprehensive that the facts which I should state could eventually prejudice the cause he so ardently advocated, still I would conceive he could not be justified in precluding the parts which were necessary to do me justice.[14]

He closed his letter with the complaint that "there is at this time so little freedom in America" and despaired of the importance of "what form of government we may adopt."

Gerry quitted the Convention, to which he did not return. But the debates continued to take on a warm personal note. In the thick of the fray, facing the onslaughts of the burly Berkshire farmer Bacon and other champions of the "unlearned," the frail Dana took his stand. Fighting for the integrity of the "draft," the views of General Washington and the ideals of the new Federalist creed were invoked to strengthen his arguments. He was to emerge from these debates as the foremost champion of the "aristocratical" thesis.

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[14] Morgan Library Mss.

IV

The first objections raised to the "Constitutional Draft" concerned the provision requiring biennial elections to the House of Representatives. The debate upon this matter (January 14th) placed Dana in opposition to Dr. John Taylor of Worcester County and the redoubtable General Thompson of Topsham, Maine. These popular tribunes believed the safety of the states to lie in frequent renewals of the electoral mandate. In opposing their plan, Dana made reference to his own experience in Congress, and won a notable victory: "So extensive an empire," he held, could never be governed "by a constantly changing legislature." [15] Dr. Taylor was again his adversary on January 17th, when Dana strenuously defended the terms of the draft concerning representation. A few days later, less happily advised, Dana supported the extreme Federalist doctrine, authorizing direct tax levies by Congress upon the states, while Taylor took the opposite ground.

On January 21st Dana spoke at length concerning a much disputed section of the draft which authorized the National Congress to appoint the "time, place, etc.," for holding elections, in case the state legislatures should fail to act in this respect. Old colonial jealousies—the legacy of hatred for a central authority left by dictatorial governors of the Crown—made Dana's task an ungrateful one. But the example of Rhode Island, where a state legislature of farmers was already meddling with the representation "at the expense of the towns," was used by the Federalists with telling effect.[16] Pointing to the "rotten borough" system of Great Britain with its consequent disenfranchisement of such great centers as Birmingham, Dana inferred that this was an evident result of localism and extreme states' rights. Such arguments brought to his side the powerful interest of the small-town merchants while renewing the rancor of the agriculturalists.

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[15] Harding.

[16] *Ibid.*

These somewhat surprising contacts in the dust of the arena with the champion of the "unlearned" were not without their effect on Dana's mild and conciliatory nature. He never developed the arbitrary spirit that marked the rule of the Cabots and Cushings—Lords of the Essex Junto. Yet, like most of his colleagues of the Boston bar, he was now numbered irrevocably among the "reactionaries."

The debate of the Massachusetts Constitutional Convention reached a climax in connection with the important subject of the right of Congress to suspend the writ of *habeas corpus*. These differences actually threatened the adoption of the Constitution. Dana was now at home on legal grounds where his adversaries trod unwarily. He spoke in support of the existing draft while Dr. Taylor defended the "darling privilege" which the *"Antis"* thought imperilled. Comparing the Massachusetts Constitution with the "Philadelphia plan," Dana persuaded his hearers that the latter offered the greater safeguards, by limiting the occasions on which this dangerous right of suspending writs might be exercised by the central government. Dana's own experience with the autocratic government of Catherine the Great had not made him more patient of tyranny. But like many another educated man, the spectacle of these farmer legislators aroused not only distrust of but a certain antipathy for the "unlearned."

An occasion, however, now arose for Dana to exhibit himself in the rôle of mediator, and to exercise his experience as a diplomat. On February 1st, as the moment for "taking the Grand Question" drew near, he ended his services to the "draft" by a series of wise and temperate recommendations. The question of further amendments he held should be left to Congress. Echoing the venerable Franklin's advice to the Pennsylvania Convention: "He did not think that gentlemen would wish to reject the whole of the system because some part of it did not please them." His final triumph was a personal one, involving an abdication of his own leading position in favor of John Hancock. By an adroit series of parliamentary maneuvers Dana placed the popular—if somewhat ponderously minded—Governor in the position of Mediator between the "lawyers" and the "people."

In the minds of not a few of his contemporaries Dana's part in saving Massachusetts for the Constitution was a decisive one. The faction of the "Berkshire farmers," clad in homespun, had been arrayed against the silk-stockinged gentlemen—merchants of the Junto. The two parties—representing the extremes of political faith—were gently led by his eloquence to a common ground. He concluded by "representing in a lively manner the evils to which the whole continent and to the Northern States in particular" would be subjected "should the existing form of government be perpetuated." [17] The final result of the Massachusetts Convention and Dana's part therein is reported in the Ellery letters:

> The Constitution of the United States was adopted on the 6th of February 1788. Yeas 187—Nays 168. During the repeated sessions of the Convention he strenuously exerted himself in favour of its adoption. In one of his speeches on the subject, he declared, that he would rather be annihilated than give his voice for, or sign his name to, a constitution which in the least should betray the liberties or interests of his country.

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[17] *Ibid.*

The popular Governor Hancock has generally been awarded the credit for the wise recommendation adopted by the Massachusetts Convention that secured a postponement of the most critical questions separating the delegates. Especially important was their decision respecting a Bill of Rights. Had such a task been undertaken in each of the state conventions, the famous Philadelphia "draft" would have been rent to tatters. But, as no less eminent an authority than Judge Parsons believed, to Dana belongs the credit of first suggesting the "Massachusetts Plan." This compromise left to the members of the new Federal legislature the duty of supplementing the "draft" by a renewal of the great Anglo-Saxon charter of popular rights in the fundamental laws. This example was, happily, followed in the conventions of several of the sister-states. In Dana's own estimation this diplomatic compromise was his outstanding contribution to the cause of Federal Government. Ellery subsequently wrote: "By his influence he fixed" in favor of the Constitution "the wavering mind of the then Chief Magistrate of Massachusetts." Hancock's flamboyant signature once placed upon the resolutions of the Convention, the "unlearned" felt safe in following their chosen leader—and the Constitution was saved.

CHAPTER XXIII

A CHAMPION OF THE COMMON LAW

THE elections which took place under the new Federal constitution were a wholly acceptable vindication of that document in the eyes of the party which now called themselves "Federalists." The choice of Dana's old friend as Washington's colleague in the Executive branch was especially gratifying. Adams (whose manners, retaining an odd flavor of European formality, had earned for him the nickname of "His Rotundity") presided over the Senate. Dana, had he desired, might have depended upon these connections for some high preferment in the gift of the President. But in 1791 he received an appointment that satisfied his modest share of world ambition, while enabling him to remain among the neighbors he loved. Governor Hancock, whether in gratitude for Dana's conduct during the Constitutional Convention, or on account of his now influential connections, appointed him to the vacant post of Chief Justice of the Commonwealth.

In the unpublished "Dana Papers" Ellery has sketched the character of Francis Dana as he appeared to his contemporaries:

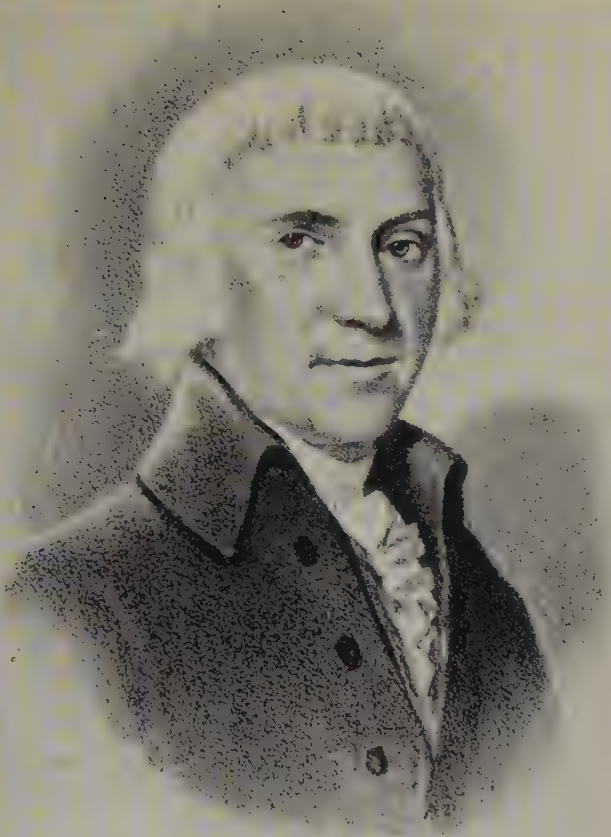
> You wish me to tell you all I knew about him that I can call to mind—his character, and particular cast of mind, the degree and nature of his talents, and the impression he made upon me & others. He was in my opinion possessed of no small portion of laudable ambition, and made use of worthy, and honest means to acquire and maintain a fair reputation. In the discharge of his duties of the Offices he bore, he was

> diligent, faithful, impartial, and upright, and thus secured the reputation, which by his natural talents, his acquired knowledge, and manly conduct he had obtained. The degree of his talents were far above the common level, his mind was strong and discriminative, and by close application he became an able lawyer, and statesman. Besides his professional studies, he read the best authors on several other branches of science, and on lighter subjects, and knew how to apply what he read to its proper purposes. . . . Notwithstanding his frequent infirmities, he preserved an uncommon composure of mind, and the principles of liberty and love of country adhered to his last. He was intimately concerned in all the plans, and operations that conducted to the promotion, and establishment of our Independency. His manners were better adapted to the higher, than to the lower order of society; yet he was a man of feeling, and from his mansion, streams of charity constantly flowed which made glad the hearts of the poor and needy.

A portrait of Dana painted at about this time shows him to have been rather more robust in appearance than the reports of his ill-health would indicate. A decisive chin and firm mouth somewhat belie his reputation for "fraility" although the high bald forehead and thin blond hair bear out of the accounts of his generally weak health. His eyes were blue and penetrating. His manner when presiding on the Bench was described as "severe." In another connection his father-in-law, Ellery, thus describes the impression he made upon a fellow lawyer:

"I never heard him speak at the bar but once; at *a Court* in Cambridge, and then he spake pertinently, and eloquently, with a round, rolling, manly *tone of voice* to the satisfaction of his hearers."

As a lawyer Francis Dana's services to the cause of "centralization" were long a title to the respect of the High Federalists of Massachusetts. Although never an active member of the governing Essex Junto (which,



[illegible]

[illegible]

Fr. Dana

under the leadership of Cabot, so long dominated the party) he was considered a sufficiently strong "party man" to escape censure at a time when lukewarm sentiments were regarded with suspicion. His position on the Bench held him aloof from the more strenuous struggles of the political arena. He nevertheless earned the reputation—perhaps unfairly imputed to him—of being a "politically minded judge." These charges must be examined, however, in the spirit of his own time.

The American lawyer of the late eighteenth century felt himself to belong to a class apart. These Melchizedeks of the bar had, in their own estimation, but succeeded to the place formerly held by the Ministers of Congregations. They were the self-appointed keepers of the people's political conscience. Unfortunately for such pretension, their assumption of leadership was only partly acquiesced in by the laymen of New England. It was even frequently and emphatically denied.

When, in 1784, Dana resigned from Congress to resume his practice in the Boston courts his return had coincided with a popular revolt against long-accepted legal practices. Such a state of affairs was especially bewildering to a man whose course of life had held him apart from the main currents of changing political opinion that had transformed his country. During Dana's absence abroad New England had become American, while Dana remained in many ways a Colonial—nay more—an English lawyer. To his somewhat static mind the innovations wrought by recent events were not always to be accepted as improvements of the older order. He failed to realize that the American Revolution was not merely a political event. It involved, however, a definite effort at social improvement, and a corresponding sacrifice of inherited traditions.

There was a popular desire to make a new start—and to overlook old precedents. Such a course was nowhere so strenuously resented as in Dana's chosen profession of the law. His most ardent Federalism dates from a period when, as he believed, the levelling perils of French Jacobinism menaced his country.

Like his idol, Washington, he long remained an enemy to party government or "faction"—a term he reserved for the "Democrats," and followers of Jefferson. Yet Dana was never wholly trusted as a "party man." With John Adams he held aloof from the unstinted, often fulsome, admiration lavished upon Hamilton's genius by the founders of Federalism. When that prophet of a somewhat ruthless prosperity made his proposal to restore the national credit through the "Assumption Plan," Dana, to the scandal of his Federalist friends, ventured to criticize such action. In failing to protect the rights of the original holders of the national debt, the Chief Justice held with Madison that Hamilton's plan had abandoned the old soldiers of the Revolution to the rapacious exploitation of speculators. The latter by chartering fast sailing vessels, and by sending their "expresses" whipping along the roads of the "back country" had been able to buy up the nation's obligations to the original patriot holders, at two and three shillings for the pound.[1] To criticize Hamilton was regarded as a party crime; a "disloyalty" requiring a courage that few Federalists could muster. "Mr. Madison's reputation has suffered," wrote John Quincy Adams to his father in 1790 concerning the future President's stand for a square deal, albeit "so respectable a character as Judge Dana has adopted

[2] *Ibid.*

Madison's views." [2] His reputation for dependability among the nabobs of the Essex Junto suffered as well.

I

When the far horizon suddenly reddened with the sinister glare of the French Bastile in flames, Dana and his friends (Adams, under the disguise of "Davila") joined Burke in revealing the awful dangers of revolution to the somewhat bewildered patriots of '76. Federalism closed its ranks to resist popular demands for liberty now grown to be a civic crime—disrespectful of the "law." Master Johnny, who had just graduated from Judge Parson's law office in Newburyport, wrote a crushing retort to the resilient Thomas Paine's regrettably popular pamphlet "Common Sense." Jefferson, "the Atheist" fluttering the dovecotes of Essex propriety, invaded Massachusetts to consult with Hancock and "Old Sam."

II

The ensuing decade—the formative period of the state law—was an occasion for the professional accomplishment that Dana loved. Honored, if not always trusted, by the strong men of the party that ruled the land, he aided in developing the "Federalist System" of jurisprudence. With ever-increasing conviction he followed the leaders whose mandate to direct the republic for all time according to their own formula of safety and order now seemed established. Like his pattern Washington, Dana became more and more Federalist and partisan. He rallied to Hamilton, whose genius showed an almost uncanny talent for meeting the material problems of the day as they arose. From the inexhaustible cornucopia of this magician's con-

[2] *Ibid.*

triving, fresh blessings were poured upon those already blessed. Assumption had restored the nation's credit while the excise tax conjured up resources to meet the new obligations it entailed. A National Bank added to the prosperity of the prosperous, while Hamilton's masterpiece, "The Report of Manufactures," held out new prospects of wealth to those of New England possessed of capital to invest.

Yet the people as a whole remained "sound." A few "scurrilous" sheets like the "Boston Independent Chronicle" showed signs of criticizing the government; a few editors even ventured to excuse the Jacobin excesses overseas. In 1794, Dana could still count upon a favorable and respectful hearing when addressing the Grand Jury in tones of admonition:

"Democracy hath two Excesses to avoid, the Spirit of Inequality, which leads to Aristocracy, and the Spirit of *Extreme* Equality which leads to Despotick power."

From the high forum of the Supreme Bench he developed the eminently Federalist doctrine of obedience —even of Hobbesian submission—to the government:

> We are perhaps too readily inclined to entertain Jealousies and Suspicions against such of our fellow Citizens whom our choice has placed in public Stations; and to conclude, not much to the honour of our own judgments, or of human Nature, from the moment they are thus distinguished, they become regardless of the Duties of their Office, and are wickedly seeking to deceive, to injure, to oppress us.
>
> Jealousy, or rather Watchfulness, over public Men and Measures, is certainly commendable in free Governments; yet it is no less true, that this political Virtue may be carried to an extent which will convert it into a political Vice of a dangerous and alarming Nature. This will ever be the Case when those entrusted with the Administration of public Affairs (whose stations afford them opportunities of acquiring a more minute knowledege of them, than can be had

by others, their equals, in all other respects) are deterred from the pursuit of measures they judge promotive of the best good of our Country.

The politician-judges of the Federalist party saw no impropriety in thus using the prerogatives of the judgment seat for the instruction of the "unlearned."

The intense partisanship apparent in some of Dana's later *dicta*—a matter much exaggerated by his political enemies—was characteristic of the age rather than of the man. In both its legal and its political theories, the eighteenth century died hard. As the rising tide of democracy began to engulf the temples and High Places of Federalism, the voice of the lawyer-guardians was raised in desperate protests. But in swelling this chorus of the High Priests, Dana only obeyed the spirit of his time. The curious spectacle was seen on all sides of Judges girding up their legal robes to enter the combat against political courses they deemed subversive.

To uphold the principles of 1688 against the French revolutionary philosophy convulsing the older continent was the difficult task confronting them as the leaders of the people. For the bitter old theological discussions—and their long twilight ponderings over the sermons of Jonathan Edwards and the Mathers—the men of New England had substituted a passionate consideration of Locke and Rousseau. To maintain the prestige of English ideals of Liberty, as opposed to French license, was the clear duty of the "elect." To understand the mistakes and narrow obscurantism of the early Federalist leaders, it must be remembered that during this "Critical Period" of our history, every arriving packet from abroad brought news of disorders that disgraced the name of popular government in France. The formative period of our own political system coincided with the reign of the guillotine in Paris.

III

In all these events and adjustments the American bar, and notably the Federal judiciary, were to play an important rôle. The conservatism of men steeped in the theories of the old English law placed them in a natural opposition to the new currents of Gallicanism. The "democratical" attacks, moreover, soon centered upon the courts. These, for the first time in history under a wholly American system, were raised to a position of equality with the Executive and the Legislature. Under an old English theory of the "separation of powers," now for the first time applied, the position of the judges took on a new dignity. Many of the wisest and most patriotic lawyers of the period refused to confine themselves to the intricacies of purely legal problems, and in defense of law and order undertook to play the dangerous rôle of guide and mentor in matters political. Such men as Judge Ellsworth, Judge Rush, Judge Chase and Chief Justice Dana were undoubtedly convinced that a jurist's duty lay in expounding not only the law, but also the governmental policies upon which the law was based. The political instruction and edification of the jury became, too frequently, the fascinating employment of men whose strict duty lay elsewhere. As an example of this homiletic tone, a charge by Dana to a Grand Jury in Massachusetts (in 1791) has been cited by his critics:

> Conceiving that nothing tends more to produce a ready & rational submission to the Authority & Laws of our Country, than a general conviction among our fellow Citizens, that they are not only intended, but well adapted to promote our best interest; Before I enter upon the Crimes and Misdemeanors which will be the subject of your enquiry, I shall take the liberty to make a few cursory observations upon the Constitution of the Commonwealth, which forms the fundamental & unalterable Law of the Land.

> These I shall introduce by observing, That in all Governments, under whatsoever Forms they are administered, the Legislature, Executive and Judiciary Powers are indispensably necessary—that upon the distribution of these Powers depends the portion of Liberty which the subjects or citizens of each enjoy—and that the *Union* of them forms a complete Despotism: whether in One, a Few, or Many.

There was more in the same edifying tone—much of it with a curious flavor for the palate of the modern jurist. It would be a mistake, however, to conclude that these sermons from the bench were ill-received by their hearers. When a group of Anti-Federalists in the County of Plymouth ventured to air their grievances regarding such political charges in the columns of the "Boston Chronicle," it was the Grand Jury itself that rallied to Dana's defense. In the "People's Voice," a Federalist organ, appeared the following "card" or notice in accord with the poltical methods of the time: "It is with pleasure," wrote the editor, "that we oppose to the slandar of the Chronicle, the subsequent truths." Then followed a protest from the Grand Jury:

> The sentiments held up in this Address, so perfectly coincided with the opinion of the Grand Jury on the subject, that they thought proper, in a very polite letter, to request a copy of that part of the charge for publication —The application and address are as follows: "THE Grand Jury of the County of Plymouth, present the Hon. Chief Justice of the Supreme Judicial Court, with their thanks, for his learned and elegant charge . . . and desire a copy of such part of the same, for the press, as relates to the situation of our political affairs."

Popular opposition to lawyer-rule had arisen suddenly—yet it was but the revival of an older trend of ideas. The theocratic ideals underlying New England democracy had always aimed at a different legal system from that of England. Their intentions had been expressed long before in the "non-conforming code" devised by the Reverend Mr. Ward of Ipswich—wherein the Word of God and not the English common law was upheld to guide the New England courts.[3] Absurd and unscientific as such a theory might appear to the trained jurist, it enjoyed the support of a still powerful clergy. These "Men of God" had once been the law-givers of the northern colonies, sharing with the "Elders of the People" the whole business of dispensing the stern justice of the Golden Age of Puritanism. It was recalled that the first trained lawyer to debark in the colonies had been that notorious character, Morton of "Merrymount," whose ungodly Christmas revels—but little less offensive than his legal practices—had caused him to be transported "back whence he came."

Long before the Revolution the "English" law had fallen into disrepute, less through the learning of its votaries, than by the practices of its "hangers-on" about the courts. Writing in 1758, John Adams found the courts of New England "grasped in the hands of Deputy sheriffs, petty foggers and even constables." Their exactions "exasperated the people," while litigation was actually provoked to furnish their fees. In 1761 a "Bar Association" was formed to remedy these evils and more special qualifications were required of practitioners. To this close corporation Dana had acceded almost by inheritance. His uncle and teacher, Judge Edmund Trowbridge, was the foremost "common lawyer" in New England. He carried on the traditions of an earlier group that included (besides Englishmen like Shirley Auchmuty and William Bollan) native Americans like Kent, Josiah Quincy Sr. and the elder Dana. The ethics of the Boston bar had been largely formed by these able men, who in spite of the prejudices of their humbler fellow citizens regarded themselves as a professional *élite*.

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[3] Warren.

The unselfish leadership furnished by lawyers during the early days of the patriotic movement had done much to stamp out a disapproval aimed not so much against jurists as against the "system" they were suspected of trying to impose upon the "people's justice." But with the close of the revolutionary period the popular distrust of the English common law revived. Thirteen out of the twenty-five members of the old "law association" had been royalists. Many of the remainder were not "remarkably formidable from their respectability." When Anglican influence and precedent became suspect to all true patriots—hatred of "foreign" custom became a veritable test of democracy. Political dinners toasted "The Common Law of England; may wholesome statutes soon root out this engine of oppression!"[4] Dana and other disciples of Coke and Blackstone were amazed to find their "old" learning considered treasonable. Jefferson openly derided the Common Law and its most revered tenets.[5] In the absence of acceptable "democratic" legal rules, scholars like Chancellor Kent attempted to substitute the "mysterious wand of French and civil law." Town Meetings all over New England in 1785 and 1786 petitioned against the English law, demanding that "all parties to civil suits be required to argue their own cases" without technical assistance, and that no lawyers be allowed to speak in court.[6] Shays's Rebellion had exploited some very real grievances against the courts and the "men of the law" together with the drastic privileges of money lenders. It was not until the acceptance of the Federal Constitution in 1789, when the old aristocratic

[4] *Ibid.*
[5] *Ibid.*
[6] *Ibid.*

dispensation began to rear its head once more, that we find Federalist voices raised in the defense of English precedents. The draft of the Constitution first adopted by Congress omitted all mention of the Common Law. It was restored to respectability by the adoption of the Seventh Amendment, when it was included almost fortuitously in the "Bill of Rights" and its rules made mandatory on the Federal Courts.

To the scholarly Dana, the Common Law became a Holy Cause. As Chief Justice of the Commonwealth he fought to preserve this heritage—both to Massachusetts and to the nation. His attitude on the bench was to cost him popularity and even reputation. Passing from the realm of legal theory, the issue had become one of party politics. While Anti-Federalist pamphleteers like "Honestus" thundered their denunciations of Anglican law and lawyers, Federalist judges (notably those of the Federal bar) cautiously returned to the familiar practice under which their science had been formed. But in the country districts the prejudice in favor of an American system generally persisted. Even that hated "Federalist Jefferies," Judge Samuel Chase, adopted at least one popular issue by declaring that he "would entertain no indictment at common law." Even Marshall fought its battles with "vaporous caution." [7] Yet from the beginning Dana's clear intellect was devoted to a restoration of the principles he believed necessary to the integrity of American jurisprudence. Returning blow for blow, fanatically in earnest, and fanatically hated for his championship of doctrines later accepted by all, his fame as a lawyer rests upon this courageous defiance. While the titanic genius of the great Chief Justice of the United States faltered over inevitable if unpopular conclusions, he proudly maintained his faith in the great English heritage.

[7] Beveridge.

CHAPTER XXIV

THE FIGHT FOR NEUTRALITY

I

THE natural corollary of America's determination to remain apart from the quarrels of Europe was a long struggle for neutral rights. As a diplomat Dana had been to some extent responsible for the determination reached by Congress to abandon their earlier ambition to join Catherine's League of Neutrals. During his later legal career as Judge he was more than once called upon to uphold the rights of American shipowners to trade with belligerents. In the early days of a struggle that has lasted to our own day his rulings on the bench set courageous precedents (as in the case of the Haitian insurgents), vindicating the principle that the nation must protect her citizens in pursuit of non-contraband trade. But in upholding the rights of American seamen against the code of narrow self-interest embodied in the earlier naval jurisprudence of Europe, he still threw the weight of his influence on the side of peaceful decisions.

In 1789 the European crisis threatened to revive the Armed Neutrality of 1780. The storm and fury of the French Revolution echoed across the Atlantic. To Jefferson and his friends the struggle seemed but an extension of the American war for liberty and a new "revolt of the waves." America's sympathies became dangerously divided. There were many patriot-soldiers who had come to view with indignation the outcome of their long fight for the people's liberties. With astonishment they had seen old wrongs revived in favor of the "rich and well-born." The property qualification in the Massachusetts Constitution had been doubled from what it had been under British rule.[1]

In the year that saw the fall of the Bastile, the Federal Constitution came into effect. The new Fundamental Law was still considered by many as an experiment of doubtful promise. The Virginia philosopher who had prayed for the opening of a "fiery abyss" that might separate Europe from America now welcomed the possible effect upon his own plans of the enthusiasm for "Liberty, Equality, Fraternity" that was thrilling the "unlearned."

In February, 1793, war broke out between the French revolutionaries and Great Britain. The new-found American nationality all but disappeared. In its place two great parties filled the land: one French and democratic, the other English and favoring aristocracy. In Boston the victories of the *Sans-culottes* over Brunswick's "Army of Princes" packed State Street with exultant humanity and the flutter of French flags. Listening to the guns of the Castle thundering their *feux de joie*,[2] for foreign victories, the party-men of the Junto frowned in apprehension.

As the year advanced the "Atlantic barrier" offered dangers of its own. Harried by the corsairs of both belligerents, neutral commerce was all but driven from the seas. Old problems with which Adams and Dana had been plagued during the stormy days of revolutionary diplomacy arose once more, complicated by the passions of a divided people. Both parties to the quarrel that was engulfing Europe were trying to secure American co-operation. The French orators of the Convention and their "war against war" moved the Democrats and the doctrinaire Jefferson to enthusiasm. The opposite party, led by Hamilton, now saw in Great Britain not an "Ocean Tyrant," but the protector of Law and Order.

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[1] J. T. Adams.
[2] Bowers.

There was again the question of joining with the "Armed Neutrality" and of forming an "entangling alliance." The Prussian Minister warned Lord Grenville that Jefferson would visit Denmark to assist in the negotiation of "a plan for neutral co-operation." But international maritime law was in a state of flux,[3] and foreign entanglements were to be feared.

The "Armed Neutrality" had formed an important clause in Jay's instructions. "You will have no difficulty," wrote Randolph, Washington's Secretary of State, "in gaining access to the ministers of Russia, Denmark and Sweden." But in the somewhat ill-assorted diplomatic hand that Jay was called upon to play with Grenville, the British Minister of Foreign Affairs, the trump card was missing. The Empress Catherine was now in open alliance with Great Britain against the French, and could even be counted upon to act against her former Baltic allies.[4] The latter had somewhat cautiously renewed a dual agreement of "Armed Neutrality" (March 27, 1794),[5] and Pinckney, the American Minister in London, had been requested to "insinuate" that American participation would be welcomed (although the Danish Minister thought the American fleet "a negligible element in the situation").

Ready to threaten Russia (as Catherine wrote) *"pour les beaux yeux des Turcs,"* Pitt had seen what she termed "the ridiculous balance of power" upset by the victory of Ochakoff. Peace had been made between the two Empires by an agreement in the course of which the rights of neutrals were sacrificed without regret by their former Patroness. There was nothing in the situation to cause the Americans to regret their determination to remain aloof from the combinations of Europe. In discussing the instructions to be delivered to Jay, the all-powerful Hamilton had weighed the advantages of the two great alternatives facing American policy; a choice that lay between co-operation with a European League (involving the "entanglements of a treaty" which might "be found very inconvenient") or a "friendly" arrangement with Great Britain. Of the two policies he considered the latter to offer the less formidable objections.

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[3] Bemis.

[4] *Ibid.*

[5] *Ibid.*

Hamilton's studied "indiscretions"—if we call them by no worse name—revealed to Hammond, the British Minister, that "under no circumstances would America join the Armed Neutrality."[6] Great Britain—relieved of anxiety—continued her visits and searches, dragging the captains of our overseas merchantmen to "floating tribunals" where naval officers judged and executed at their will. France, in reprisal, followed suit. In the face of these provocations, Dana declaimed to his British correspondents, complaining of the definitely ridiculous posture in which England's Federalist friends now found themselves. To Mrs. W. Western, a London friend, he wrote (December 28, 1793): "Concerning the possibility of our being *driven* into a War by the politicks of Great Britain":

> There is no danger from any other quarter, I think. If we are treated with Justice, and with that respect which as an Independent Neutral Nation we have a right to, & shall most certainly insist upon from her, as well as from all the belligerent powers, we unquestionably shall remain in peace with all the world. But Americans thoroughly understand their Rights as a Neutral Nation, and whenever it

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[6] *Ibid.*

> shall become indispensably necessary to exert our national Force in this vindication, we shall do it at all hazards. I pretend not to know the views or sentiments of the British Administration respecting the United States, but I pretend thoroughly to know the sentiments and spirits of my own Countrymen, who will be prepared to meet any event, and to act as their national honour and interest shall direct. However it is our serious wishe to leave Europe to settle her own broils & contentions, and to go on in our present course of prosperity and happiness: a greater portion of which no Nation ever enjoyed.

These were brave words and prophetic of later disaster. But with Hamilton's curious assurances to count upon, the Lords of Admiralty saw no reason to curb the privateers whose prize money was helping the British fleets to keep the sea. The actions of the British Government made little account of the plight of their Federalist friends in America. The effort to control the popular indignation became increasingly difficult. The Jeffersonians were jubilant. As Madison wrote to his Chief: "The merchants, particularly of New England, have had a terrible slam in the West Indies. About one hundred vessels have been seized by the British for condemnation on the pretext of enforcing the laws of the monarchy with regard to the Colony trade." [7]

A few concessions on the part of the London Cabinet might have ranged the New England states wholeheartedly on the side of the British in their struggle against Jacobinism. But the closure of the colonial trade and the spoliation of the British privateers, were rapidly bringing matters to a point when a renewed war with the "mother country" seemed inevitable. Federalist orators were desperately trying to divert the popular anger from England. But to concentrate the public irritation upon Jacobin France was no easy task. "Revolution" was still a magical formula among the "unlearned."

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[7] Writings.

Of this ingenuous Federalist eloquence Danã furnished more than one example. In one of his now famous political charges to a Massachusetts Grand Jury he maintained:

> That the outrages and depredations committed upon our navigation and commerce by the French, were not, as pretended, occasioned by the British Treaty; but were consequences of a plan formed to destroy root and branch the commerce of Great Britain, without respecting the rights of Neutral Nations. To this plan is now unquestionably added the indiscriminate plunder by captures and greedy contributions, of all Nations unable to vindicate their Sovereignty and Independence.

Dana might have saved his sympathies.

It was Great Britain's persistent determination not to allow the "carrying trade" she had [8] so long monopolized to fall into the hands of the United States in time of war that motivated her conduct. This principle of grand strategy escaped Dana's attention. Ending, however, on a more patriotic note anticipating the "one hundred per cent Americanism" of a later crisis he pointed to the crisis—

> Which calls upon Us to unite, without delay, in a firm and unshaken determination to eradicate every species of foreign influence to rally round, not "the Standard of Common Sense," as we have been invited, but that Standard which shall be displayed for the support of the Constitutions, Laws and Government of our *own* Country. For on these alone rest the Liberties and Independence of America.

II

The eight momentous years of Washington's administration came to a close in 1796. Two of Dana's former diplomatic colleagues, Adams and Jay, were cast for important parts in the drama of these stirring days. The High Federalists appeared willing to go to any lengths that might avoid a war with Great Britain. By desperate appeals to the nation's personal devotion to Washington, Jay's much criticized treaty had been forced through Congress; but its author had been burned in effigy in every seaport from Boston to Charleston. Although Cabot believed that the President could not be "deterred from his duty by the clamor or menaces of these city mobs," even the great Washington's popularity was made to suffer for alleged "Angloman" sympathies. By a bare majority of three votes the Federalist Adams was elected to the Presidency while the democratical Jefferson became Vice-President with all the prestige of a near-success for his party. The Federalists had been hopelessly divided by the electoral tricks Hamilton had played upon his old rival. The menace of a war for neutral rights was inherited by the sadly weakened administration as it entered upon the duties of office.

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[8] **Kojouharoff.**

In 1794 Washington had reluctantly decided to replace Gouverneur Morris, for whom Fauchet had "informally indicated a distaste" as Minister to France.[9] James Monroe had been sent to Paris in an attempt to pacify both the French abroad and the Anti-Federalists at home. When this impossible mission had ended in failure, Charles Cotesworth Pinckney was charged with the task of applying Federalist panaceas to a state of affairs now designated as a "quasi-war." The refusal by France to recognize the American Envoy brought about a crisis. The Federalist War Hawks in Congress urged: "The hour has struck."

As a last attempt to preserve peace, President Adams now proposed an "extraordinary mission," and for five

[9] Madison.

months the question, "Who shall be chosen?" formed the subject of debate in Congress. Even Hamilton now agreed that members of the opposite party should be included in an embassy that might decide Peace or War.

Adams believed that to send the Vice-President was too great a compliment to pay France. His final choice fell upon Marshall, the Chief Justice, and Pinckney, the rejected Envoy. For the third Commissioner he desired to appoint a New Englander, but one of more temperate judgment than Cabot, the King of the Essex Junto. His choice fell upon Dana, to whom Pickering, the Secretary of State, wrote (June 6, 1797):

> Your knowledge of the state of the political affairs of the United States in relation to France, renders any explanation of the cause and object of this Extraordinary Commission unnecessary. I need only remark, that the vast importance of the proposed negociation demonstrates the sense entertained by the President and Senate of the talents, integrity & patriotism of the gentlemen appointed, and of the high confidence reposed in them by their fellow citizens; whence they will respectively estimate the extreme disappointment that will be felt, & the great disadvantages which will be justly apprehended, if any possible circumstances should prevent their accepting the very honourable and interesting office.

A letter from Ellery among the Dana papers reveals that the above was accompanied by "a letter to him (Dana) from the President, and another to his wife from his lady." But Dana had no desire to resume a diplomatic career. In spite of Pickering's eloquence, and the more familiar pleas of the Presidential family, he refused the French Mission on the convenient plea of ill-health. He wrote to Pickering:

> Although I have not had the honour of a personal acquaintance with either of the Gentlemen joined in this commission, yet their public and private characters are so

well established throughout the United States, that no associates cou'd be more agreable to me.

Nevertheless, I feel myself constrained to decline this very honourable embassy, on account of the precarious state of my health; as it is with much difficulty, arising from that cause, that I am enabled to sustain the duties of my present office—Duties much less trying to the mind and body, than those which must necessarily be experienced in conducting the proposed negotiations.

Having spent more than four years of my life abroad, in obedience to my Country's call, in more perilous times, I hope I shall not be censured by any, for declining the present more honourable appointment, with honour to myself, or advantage to my Country.

His former friend, Elbridge Gerry, was appointed in his place, and this curious choice of a "democratical" colleague for "General" Marshall furnished a victim who was to bear the brunt of Federalist displeasure in connection with the celebrated exposure of Talleyrand's diplomacy in the matter of the "X. Y. Z. Letters." Nor was Dana to be spared in the reckoning soon to overtake his own party.

III

A diary of the time gives a glimpse of Dana "beneath the Liberty Poll at Dedham" inveighing against Talleyrand, and the "X. Y. Z." duplicities of French diplomacy. But his principal contribution to the Federalist cause was in the rôle of a jurisconsult. "The Sedition and Alien Acts," wrote Dana to an English correspondent, are "intended for the correction of our mad Democrats or Jacobins, and the latter to rid our Country of these violent foreigners." This was doubtless the view honestly held by the Federalists concerning the "Bloody Assizes" of 1798. These fatal and ill-considered measures of biased party legislation threw upon the Courts, both Federal and State, the odium of carrying out the extreme policy of a fast dwindling and infatuated Federalist majority.

Both Acts were the result of war psychosis and hysteria; the outcome of our quarrels with a "Jacobin republic." The Sedition Law, like the Alien Act, was aimed at preventing the spread of the revolutionary "infection." Even the great Federalist, Chief Justice Marshall, deplored their tyrannical tendency. Politically-minded judges like Chase seized the occasion to link their hatred of Jeffersonian democracy with their legal duties of protecting the Constitution. Astonishment at the curious language that was now held by both the bench and the bar in dealing with questions of fundamental right—freedom of speech and freedom of the press—must, however, be tempered by a review of existing conditions. In their own estimation, at least, a mandate had been imposed upon the Courts by the national Legislature to purge the country of "treasonable practices" threatening the very existence of the republic.

The enforcement of the Sedition Law in Massachusetts during the years 1798 and 1799 culminated in the indictment of its most celebrated victim, Thomas Adams, editor of the important Jeffersonian paper, the "Independent Chronicle" of Boston. At this famous trial Chief Justice Dana was called upon to preside—nor has his conduct of the case escaped the censure of historians imbued with the prejudices of a more liberal time. Adams had published in his paper an intemperate attack on the action taken by the Massachusetts General Court in denouncing the Virginia Resolutions. In substance these "sovereign declarations" aimed at the abridgment of the Alien and Sedition laws. In the eyes of Federalist "party-men," Adams in criticizing the Federalist majority in the Massachusetts legislature—even their dubious right to censure the governing body of a sister state—had been guilty of an act of "treason."

In reporting his own arrest to the liberal and democratical readers of the "Chronicle" Adams promised "a full account of his forthcoming trial." The public temper respecting this attempt to tamper with the freedom of the press was shown by an immediate and "unprecedented increase in circulation."[10] With telling effect the accused editor quoted President Adams' famous slogan of Revolutionary times, that "a free press will maintain the majesty of the people." It was recalled that the precedents favoring Adams and the popular cause had been developed by the arguments of Judge Dana's father in the case of the "Monsters" and the unfortunate printers of that earlier pamphlet.

Many of the editorials complained of in the indictment had been written by Adams from his sick-bed. In contrast with the treatment just afforded the "martyred" Vermont editor, Haswell, by another Federalist court, Judge Dana now mercifully permitted the substitution of Adams' brother Abijah, the bookkeeper of the concern, as the responsible defendant in the case.[11] Here, however, his judicial clemency ceased. Opening his charge to the jury with one of his now famous political sermons, he referred to the minority in the Legislature (who headed by Jacob Bacon of the "Free Berkshires" had supported the doctrines of the Virginia and Kentucky democrats) as "worse than infidels" [sic]. Carefully informing the jury that he was not a subscriber to the paper, "but had obtained that one by accident," the Chief Justice indicted all its subscribers as supporters "of a traitorous enterprise to the government of this country."[12] Such exaggeration of language on the

[10] Bowers.
[11] *Ibid.*
[12] Beveridge.

part of the staid and moderate Dana reveals the underlying depths of political animosity that characterized the whole proceeding.

The Attorney-General, James Sullivan, acted as prosecutor in the trial of Adams.[13] His duty required him to advance a step beyond the position he had taken in the case of the editor Freeman eight years earlier. The offense of Adams had to be reprehended as a "public" or "seditious" libel, because concerning an attack upon "an official governing body."[14] The Attorneys for the defense could only maintain that the British common law principles governing such libels were inconsistent with American liberties and the Constitution of Massachusetts. This plea placed Judge Dana in the position of defending a favorite legal theory. He had adopted as an article of faith that the old common law of England had passed into the jurisprudence of the liberated colonies. His determination, long held, to vindicate this principle was now, moreover, fortified by precedent. Adams was now to be sacrificed to prove a legal principle.

In the earlier case of Freeman, it had been held that the old English law of criminal libel still applied in America. Even the absurd and hateful doctrine that a truthful statement could not extenuate a libelous writing was under the ruling adopted in that case, held to be in force.[15] Referring to the "Chronicle's" account as "an indecent and outrageous calumny," Judge Dana reserved the full strength of his legal argument for a scornful attack on Adams' counsel. "Serious as the libel might be in itself," he maintained, "the novel and disorganizing doctrine" advanced by the defense was even "more dangerous to public tranquility."[16] The

[13] Sullivan.
[14] Duniway.
[15] Warren.
[16] Beveridge.

"doctrine" so reprobated was of course the contention that oppressive rules like the English common law of libel could no longer obtain under a free government. In imposing sentence the court with almost religious fervor "upheld that the Common Law was operative in the United States." [17]

Nor was this all. In an obiter referring to the political aspects of the case Judge Dana said that the Virginia and Kentucky resolutions had attempted to establish "the monstrous position that individual states had a right to pass upon the constitutionality of acts of Congress." Approving the resolve of the majority of the General Court, he declared, soundly enough, that the final decision in such matters rested wholly "in the Judicial Courts of the United States." His peroration concluded with an eminently Federalist *pronunciamento* in which Jeffersonian democracy was denounced and the existing Sedition Act upheld as "a wise and necessary measure." [18]

Dana had adopted the reasoning of the Attorney-General in both trials but the verdict resulted in widespread criticism of the Judge's charge. The jury found "that the paper described in the indictment is a libel, they do not find the said Abijah guilty of printing, but they find him guilty of publishing the same in the manner and form set forth in the indictment." The sentence imposed by the court required Adams to pay the cost of prosecution, to serve thirty days' imprisonment, and to furnish bond in the sum of five hundred dollars as security that he would not repeat the offense within the year. The jury's verdict was in full accord with the doctrine advanced by the prosecutor supported by rulings from the bench.

Although Judge Dana in no sense originated this application of the Common Law, he now found himself held responsible by public opinion for this unpopular ruling. The trial of Adams, coinciding with the political disturbances stirred up by the Alien and Sedition Acts, created a public furore. The English precedents invoked laid Dana open to the charge of "Anglicanism," and an unpatriotic dependence on a now alien legal system. His references to our "cherished birth right" was turned against him as a political toast. Throughout Massachusetts Anti-Federalist editors were aroused to vibrant protests not only against the verdict but also against the subsequent treatment of the prisoner, Adams. In the face of indignant objections by the High Federalists, Judge Dana permitted the latter to be transferred to a more comfortable and wholesome cell. But the "Chronicle" refused to desist from its attacks. Thomas Adams denounced Dana's application of the Common Law of England as "inconsistent with republican principles contemplated and avowed in our Constitution."

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[17] *Ibid.*
[18] *Ibid.*

The lamentable drama dragged on to a tragical climax. Worn out by his own courageous eloquence, the editor died. The brother who was vicariously expiating the dead man's "crimes" still languished in jail. Unfortunately for Dana the situation took on a double tinge of martyrdom. Samuel Adams, still the grand old "Tribune of the People," congratulated the prisoner openly before the doors of his prison. When the younger Adams was finally discharged, the "Chronicle" announced the fact to its readers with a sneering reference to Dana's address: Abijah had "partaken of an adequate portion of his birth right." [19] The phrase was a telling one; there were other echoes. In 1801 John S. Lillie, editor of the "Constitutional Telegraph," was in turn indicted for libel for referring to Dana as "The

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[19] Warren.

Lord Chief Justice of England" who administered that "execrable engine of tyrants the Common Law of England in criminal prosecutions." A lawyer of the present day may well sympathize with the harassed Chief Justice of Massachusetts, thus pursued and decried for adhering to his sworn duty to the law. But the Jacobin movement in New England gained further impetus from these much discussed incidents. Like so many of his Federalist colleagues, Dana had but smoothed the pathway along which Jefferson was triumphantly advancing to power.

IV

The necessary background to these "legal persecutions" have perhaps been neglected by the more liberal historians of our own time. To understand the Federalist view of the dangers threatening the Republic, it is but necessary to recall the Bolshevist menace of the present day. A phenomenon especially disturbing to the conservatives was the growth in America of "Jacobin Clubs," founded on the model of the political organizations which had played so important and sinister a part in the French Revolution. The "Red Terror" in our own day, and the distrust of reforming Leagues and Lobbies, had its counterpart in the suspicions displayed by Dana's party concerning political clubs and lodges. With Washington at their head the Federalists deplored the importation to this continent of such methods of propaganda. "All combinations," wrote the ex-President, "with real design to direct or curb the regular deliberation and action of the constituted authorities" offer "a deplorable innovation in our system of government."

Driven underground by a ruthless Napoleonic persecution, the menace of secret revolutionary "sects" had in Europe succeeded to the place of the more openly conducted political clubs.[20] Secret political organizations have always defeated their own purposes on American soil. But the rumor that this "invisible Empire" was stretching out a hand to found its colonies across the Atlantic aroused a terror of the nameless throughout Federalist circles. The alleged subversive crimes of the "Sects" was only made blacker by an assumption of the virtues of Freemasonry. The threatened extension of the "Order of the Illuminati" who had played a rôle never completely explained in the earlier phases of the French Revolution aroused Dana's Federalist friends to a sense of unknown dangers. An anonymous letter preserved in the Dana archives, together with pamphlets and other documents, shows that the Chief Justice was concerning himself with the politically occult—as well as the other manifestations of Jacobinism. The letter is dated Philadelphia, March 15, 1799:

> I enclose you a copy of a letter of which the original is in my possession, & which covered several numbers of the enclosed printed Lists of an American Society of *Illuminees*. You will I presume find in these papers evidence of the truth of Robinson's & Barrel's representations concerning Jacobin Societies.

From among a long list of obscure but probably not very dangerous adherents and adepts of these revolutionary practices, a few persons were singled out for the watchful care of the authorities:

> Bernard Magnien is a person who made a violent representation to Congress some year since. Robert Shelton has been a postmaster. There are others named in the list whose movments have attracted my attention on former occasions

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[20] Webster.

> . . . the titles of the Dignataries: the names of the Lodges, La Sagesse: La Raison perfectionee: La Solitude etc., deserve *notice.*
>
> Some Masons consider themselves implicated in the charges against Illuminism. Such as see these papers may be convinced that the forms of their Society have been assumed & perverted to the worst purposes: and the honest Man of our *old* lodges will perceive the necessity there is of drawing a line between true & false Masonry.

The enclosures to the above enlarged upon the menace of the "Illuminati" which, given the prejudices of the time, was no less terrible because it sought to include women among its adepts:

> *An Association has been formed for the express purpose of rooting out all the religious establishments, & overturning all the existing Governments of Europe.* I have seen this Association exerting itself zealously & systematically, till it has become almost irresistible: I have seen that the most active leaders in the French Revolution were members of this Association & conducted their first movements according to its principles, & by means of its instruction & assistance, *formally requested & obtained:* And lastly I have seen that this Association still exists, still works in secret, & not only several appearances among ourselves show that its Emissaries are endeavouring to propagate their detestable doctrines among us, but the Association has ladys in Britain corresponding with the Mother lady at Munich ever since 1784.
>
> The homely Free Masonry imported from England has been totally changed in every Country in Europe, either by the imposing ascendancy of French Brethren, who are to be found everywhere, ready to instruct the World, or by the importation of Doctrines, & Ceremonies, & Ornaments of the Parisian Lodges.

Passing to the more definite charges, Dana's correspondent enclosed the following hair-raising document:

To

The very respectable French Lodge the Union No. 14, appointed by the Grand Orient of New York

S. F. V.

TT. CC. & RR. FF.

The *opening* communication with which you have favoured us dated the 16th of the 2d month of the present year, did not reach us till a few days past: It has been laid before our respectable Lodge at its extraordinary meeting of the 14th inst.

We congratulate you TT. CC. FF. on account of the new Constitutions which you have received from the Grand Orient of New York. . . . It is on this ground that we think it our duty . . . to establish Two new masonic work shops regularly appointed & installed according to the French ritual, by our respectable provincial Lodge. One more than a year since, under the name of Friendship, at the East of Petersbourg in Virginia; the other more recently, under the name of perfect Equality, at the East of Port de Paix on the Island of S. Domingo.

San Domingo, bathed in blood and horror by the black revolution which had crowded the ports of the Atlantic coast with French refugees, was thus definitely linked with the American "Reds." The situation needed no painting in deeper colors to arouse the ever-ready suspicions of Federalism!

CHAPTER XXV

FINIS

I

THE failure of the Extraordinary Mission sent by Adams to France gave Dana no reason to regret his determination not to re-embark on the stormy sea of diplomacy. In the turmoil and excitement that accompanied the return of Marshall and Pinckney he, however, played a not inconspicuous part. The publication of the "X. Y. Z. Letters" gave the Federalists an opportunity both to silence the democratical supporters of France, and to strengthen the hand of President Adams in preparing a Holy War with our former ally. France had for five years defended herself against an alliance which included Great Britain, Russia, and Austria with Turkey and Naples playing a secondary rôle.

The dangers of revolution were displayed as an example to the people, and exhortations to patience and obedience were voiced by the party press, from the pulpits of the Federalist clergy, and with less propriety from the Federalist bench. Chief Justice Ellsworth of the United States Supreme Court used his high office to attack France and the Jeffersonian party. In their charges to the grand juries Judge Rush and Chief Justice Dana lent their eloquence to similar exhortations.[1] Gerry who still lingered in France was now considered little better than a traitor, and Adams' indiscretion in appointing him one of the Commissioners was severely criticized. As the struggle between France and the European coalition became more acute, there was even danger that the United States might be drawn into what Dana had called the "vortex." At the demand of Great Britain, Catherine of Russia had abandoned her stand in favor of the principles of law set forth in the treaty of the "Armed Neutrality." Then as her hatred of the "dreadful Jacobins" was fanned by the events of the revolution, she offered her fleet and her armies to the sacred cause of European reaction. In accepting British subsidies for her dilapidated armaments she was naturally led to admit their interpretation of the law of the sea. Neutral rights (as on many subsequent occasions) were sacrificed to secure the more immediate ends of the blockade declared against France.[2]

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[1] Bowers.

At sea the right of "free commerce"—the diplomatic issue with which the United States was chiefly concerned—had been disregarded by all the parties to the contest. Dana's prophecy that "we should be free of their quarrels" was but partly verified.

In 1796 the Great Tsarina made her final exit from the European stage. The last years of her reign had been troubled by the European wars against which Potemkin the "Great Favorite" had warned her before his death. His unworthy successors, the Zoubovs, had no talent for diplomacy. Poland, where she had found a throne for her lover Poniatowski, had revolted, and a war with Sweden had separated the "Powers of the North." The French Revolution had deprived her of the support of her Austrian allies. The "Balance of Power"—with which her feminine intuition had enabled her to play such disconcerting tricks—had been overthrown. As the scepter fell from her dying hand all Europe was at war.

The Armed Neutrality next found a strange champion in Catherine's son and successor, the Mad Tsar Paul. The precarious alliance that had existed between Russia and the powers of the anti-revolutionary coalition was declared suddenly at an end. But it was the turn of the United States to betray the cause of "Ocean Freedom." In February, 1799, Voronzov, Russian Ambassador at London, approached the Hon. Rufus King, the American Minister, with a proposal that the United States should sign a treaty guaranteeing American adherence to the principles of a reconstituted Neutral League. This was coupled with a suggestion that the time was now opportune to negotiate a commercial treaty. President Adams, satisfied that the dangers of "entangling alliances" might well be set aside, authorized King to negotiate, laying special emphasis on "neutral rights." Federalist sympathies for the protagonist of the great crusade against "Jacobin disorder" caused him, however, to omit the provision obnoxious to Great Britain that "free ships make free goods." The United States was thus led to abandon their earlier contention because it was a "principle not universally accepted by maritime nations." [3] When, in the following year Russia, under Paul's successor, the Tsar-Idealist Alexander, finally laid aside the cause of "neutral rights," Great Britain's supremacy of the seas was re-established.

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[2] Fauchille.

II

These questions, recalling his own diplomatic career, had revived Dana's interest in foreign affairs. But the time-worn grievances of the Freedom of the Seas presented themselves in a new form. The party to which he gave allegiance now hoped to find in the naval power of England, not the "Ocean Tyrant" of Revolutionary days, but a kind of beneficent law-giver restricting the

[3] Hildt.

depredations of France. This fantastic view of Great Britain's rôle even the Federalists realized was difficult to reconcile with actual events. To Mrs. Western, whose son was now a member of Parliament, Dana had written (November 13, 1796) concerning the outrages of British privateers on New England commerce:

> Such conduct on their part heretofore, had nearly effected the designs of France with respect to America, which unquestionably were to produce an open rupture between our Countries. The well-informed of both Countries must see their Interest lies, in cultivating harmony by avoiding not only direct injuries, but every measure which may have a tendency to weaken a confidence in national Justice towards each other. . . . It wou'd be infinitely preferable not to insist upon a rigid rule in obtaining compensation for injuries sustained in our commerce by captures on our shores, or in our Rivers & harbours, which were the effect of either a want of power to protect it, or a desire to preserve our peace with you, by yielding to certain violations of our Jurisdiction by the French. Our feebleness in some respects, has obliged our Government sometimes to temporise in our conduct towards the belligerent powers.

Extreme Federalists, in their anxiety to avoid the "unthinkable" war with Great Britain, were even prepared to assent to the English thesis respecting the rights of neutral carriers. To secure their political ends they were not above adopting an apologetic attitude for the "unreasonable" demands of the despoiled and indignant merchants, their fellow citizens. They believed that England was fighting with her back against the wall against the forces of Continental anarchism. What were American rights on a "Free Ocean" when compared to the success of the broader aims of Federalism? It was in this vein that Dana wrote to a British correspondent (December, 1798). Nelson's victory over the French Democracy might well have been a triumph of the phantom American war fleets:

> Accept my hearty congratulations for the decisive & glorious victory of Adml. Nelson over the French fleet. May this be followed, as I expect it will be, by the complete overthrow of Bonaparte & his Army of Robbers in Egypt. There will then be some rational grounds for hoping that peace may be restored to the World & be preserved in America. But War with all its train of burthens & miseries is infinitely preferable to a delusive peace with France. Nations must become her Enemies or her slaves. America will not long hesitate about the choice. Our Congress we presume opened on Monday last. The old French factions still exist in it, tho unsupported by the great body of the people. Our strong hopes are placed in the new Congress which will meet in March. . . .

This eminently Federalist document closed with a warlike peroration revealing the approval with which the Chief Justice of Massachusetts now viewed the policies of the European Coalition:

> . . . It is not a time to make serious faces at the burthens or miseries of War; Heavy & afflicting as these may be. They are indispensable, and, in my opinion, Brittons have reason to render thanks to Almighty God that their Government hath armed itself at all points to oppose a power, the common Enemy of the human race. May the Government of the United States be equally decisive in the line of their duty. In doing this they will be vigorously supported by the People.

The long temporizing struggle for neutral rights was to end with the declaration of the War of 1812 against Great Britain. But from this spectacle of fratricidal strife Dana was mercifully spared.

III

The last decade of Judge Francis Dana's life was a long period of decline. His physical disabilities increased. The turn of the century was saddened by family bereavements and the dissolution of the political party with which his dearest hopes had become identified. A constitution, never robust and much depleted by his long service in Russia, failed to react to the strain of recurring disappointments and anxieties.

The death of Washington occurred during the crisis which doomed Federalism as a political force. It was in a spirit of unaffected, tragical grief that Judge Dana addressed the Grand Jury in Norfolk in February, 1800:

> The late afflictive bereavement with which it hath pleased the Ruler of the Universe to visit our Nation, has been generally received with that sincere & deep sorrow which super eminent usefulness demanded from every friend of our Country.
>
> Its brightest luminary is extinguished. The noblest pillar in the Temple of American Liberty is removed: And the Rock of our Union seems rent in twain.
>
> Not to see that a new danger threatens *us,* our Country would prove a political blindness. To dispair of the Commonwealth without a great effort to save it, [would be] a disgraceful timidity.

There was eloquence and feeling in these tributes—and the accents of despair and anxiety. In the tenets of Federalism Dana saw the one hope for the beleaguered republic—and the bright particular Federalist star had been stricken from a darkening firmament. The party, bereft, must close its ranks and show a stern face to the enemy. From his forum on the bench he continued his patriotic homilies. To the Norfolk jurymen, "and next at Suffolk," he preached a doctrine that foreshadowed the "one hundred per cent" American of a later day:

> The remedy is to awaken the public mind to excite its best energies, and point them to their proper object: or in other words, *for the people once more to rally round the Constitution and the constituted Authorities of our Na-*

tion, & preserve from violation those sacred pledges of an Independence, Peace and Happiness.

It is a fact not to be denied: And why shou'd we hesitate to declare it? That that Constitution from which we have derived public blessings even beyond the sanguine expectations of its most zealous advocates, has had enemies who have never ceased their endeavours to undermine it & overthrow it.

If it be asked what is the remedy in the hands of the people I answer: Let *native* Americans who unite the *character* with the name, ever watch over the Liberty of their Country, its true Dignity, & Independence.

The Federalist party was now a rudderless ship. To a man of Dana's straightforward and uncompromising character division and disloyalty were especially painful. The choice of a party leader after Washington's death was a distracting problem. The most imminent danger came from within the party itself. The Federalists were torn by a struggle between Hamilton and President Adams. The President resented Hamilton's attempts to dictate his conduct in matters connected with the European situation. His own diplomatic experiences in which Dana had shared in no way tended to make him a friend of France. Yet he still sought a solution without hostilities.[4] On February 18th in spite of Talleyrand's conduct he nominated a "Third Embassy to France." This forlorn mission included the eloquent Patrick Henry and the Senate confirmed his action in spite of Hamilton's known objection. In thus holding forth the olive branch to Jacobinism, he balked the Federalists of their hope that by forcing a declaration of war their party might resume its leadership. The Essex Junto, Cabot, Ames, Gore, Parsons and other friends of Dana, made no attempt to conceal their disgust. In a letter written after these events to an English correspondent (March 26, 1800) the latter wrote:

[4] Bowers.

What opinion may be entertained by the politicians of your Country touching our sending a *third* Embassy to treat with the Government of France, I cannot say. But this much is certain, it ought to be considered as a measure of the Presidents; in which he was not supported by the *decided* Friends of our Federal Government, & his *personal* Friends. If any good results from it, he will be entitled to the honour of it *exclusively*.

Dana's regard for the character and methods of Hamilton, the party dictator, was of the slightest. The Hamiltonians were playing a dangerous game, which in its outcome dealt the death blow to Federalism. Their object (which he deplored both as a friend of Adams and as a party man) was to manipulate the electoral votes in the pending Presidential contest in such a manner that Pinckney of South Carolina should be elected President—with Adams relegated to the second place. To secure this end, Hamilton was using all his tricky magic as a politician. In New York his skillful sabotage of the party vote defeated Burr—and provoked the latter's fatal shot at Weehawken.

In Massachusetts he could count on the support of the bosses of the Essex Junto. On the pretext of disbanding the army raised by the Federalists to protect the country from the French, and the "forces of disorder," Hamilton now visited Boston to confer with the leaders of the party. His arrival raised for Dana a painful question involving both party and personal loyalty. The Chief Justice's name appears among the guests at a dinner tendered to Hamilton by the Federalist leaders: "a company the most respectable ever assembled in the town." About the table with Dana sat General Lincoln, Governor Strong, Ames, Cabot, Higginson and Major Russell of "The Sentinel." Hamilton talked frankly of his preference for Pinckney, flinging brilliant innuendoes at Adams.[5] To his London correspondent, Mrs. Western, Dana attempted to make clear the complications of Federalist politics. In explaining Hamilton's defection he affirmed his own intention of remaining loyal to the President. It was a fateful decision and one that estranged him from many of his party friends:

> The Federalists for reasons of State have not suffered personal matters in the least to affect or change their public conduct as it respects the reelection of Mr. Adams; but have resolved to support him with all their strength against Mr. Jefferson. On the issue of this election depends the future state of our National Affairs. It being to take place thro out our Union on the same day, the event will shortly be known. Shou'd So. Carolina unanimously vote for both Mr. Adams and Pinckney, I think, that their election will be made sure. We wait with great anxiety for the Issue.

A few weeks later (January 19, 1800) he described the catastrophe that had meanwhile occurred. In the sordid political drama of Hamilton's contriving which marked the Federalist downfall, he had played a part as one of the Presidential electors chosen by Massachusetts:

> Our great National Election contrary to my expectation has gone in favor of Mr. Jefferson & Burr, who have won the majority, & an equal number of votes; The House of Representatives must by their choice determine which of them is to be President. This change in the Administration is the effect of the many seditious, if not traitorous publications for years past in some of our public prints, conducted principally by British & Irish Renegades under French influence & the want of energy in our Government to free our Country of them under the Alien Act.
>
> The consequences are not yet clearly foreseen. Whether America is to be regenerated, in the language of modern philosophy or in other Words, to be ruined; or whether the

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[5] *Ibid.*

> Federalists will be still able to protect & support our National Constitution & our Laws. . . . I know not.

The bitterest sentences—holding England responsible for his party's disaster—are crossed out in the original copy:

> Great Britain for want of a more magnanimous policy towards the United States, have thrown the Game into the hands of their Enemies; & no Country, shou'd France succeed in driving us into their ultimate views will have greater reason to repent.

IV

In November, 1804, Dana wrote to a British correspondent (F. S. Western Esq., a member of Parliament):

> My sight has mended considerably with the general state of my health, tho I am still obliged to avoid much reading or writing. I have laid aside any design for visiting England for medical aid: so that I shall never again have the happiness of seeing you. It is time indeed that I shou'd cease from official labors, and retire into private life, quietly to enjoy the domestic felicities resulting from the affection of an amiable woman, & our Children. This I seriously contemplate doing in a short time.

For two years longer he continued to fulfill the trying and exacting duties of Chief Justice. In 1806, as the infirmities he anticipated began to press more heavily, he resigned the office so honorably and usefully held for fourteen years.[6] His successor was a life-long friend, Judge Theophilus Parsons, who undertook the duties of Chief Justice in the same spirit of constructive reform. "During the transition period," wrote the latter's son and biographer, "from the condition of a royal colony to that of a self governing republic, no human sagacity could foresee all the changes and all the means by which the Judiciary must be readjusted." In reviewing the more important changes he paid a handsome tribute to Judge Dana's part.

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[6] Parsons.

The last years of Dana's life were overshadowed by domestic troubles. The patriots of his generation seem to have taken to heart with equal intensity the misfortunes of their country—and their private afflictions. A letter to his brother, Edmund Dana (written August 16, 1807), reveals these preoccupations:

> I should most certainly have written you at large in answer to the political part of your letter. Were you to visit your native Country at this day, you would soon discover the essential difference between your imagined and the real state. Under the Administrations of Washington and Adams all went well. But we have undergone an entire revolution of public sentiment, & are saddled with a democratic Administration, whose first & steady work it has been to overthrow all the doings of the former Administrations; & either ignorantly or intentionally to lay the dignity & independence of our Country at the feet of Bonaparte.

The Emperor Napoleon had become in turn a champion of that "Order" which Federalism admired. But Dana's affiliations with Great Britain led him to see nothing but oppression in the rule of the great author of the "Code." Yet even of Great Britain he now was brought to despair: "I have nothing to say in favor of British policy towards the United States. This has driven us into our present unhappy condition. But I cannot now go on with this subject."

The closing paragraph of this long letter was devoted to domestic affairs:

"My mind for weeks past has been (illegible) distressed by domestic concerns. Mrs. D. has been and still is in a very critical state. At times I have lost all expectation of recovery."

To the above he added a postscript dated August 18th; "Mrs. D. is not better today."

The same day that this pathetic postscript was written Dana was to receive one of those sudden strange tributes of graciousness of which the Adams family are capable. While Mrs. Dana lay dying, her neighbor, Mrs. John Quincy Adams, gave birth to a boy who was soon after baptized by the names of Charles Francis. Dana was doubly concerned in this event. Senator Adams had named his son in honor of the Judge, and of that Adams youth, long since dead, to whom in his correspondence with the elder Adams Dana had always referred as "mon fils."

John Quincy Adams since his election to the Senate had followed a course which his old friend and patron could only deplore without blaming. His earlier diplomatic training had been of little avail to save him from the party questions which now separated the remnants of the Federalist party. When in 1803 he had been elected to the Senate, he had almost immediately found it his duty to vote with the Republican minority. On his return to Boston four years later (after what amounted to a recall by his party through the election of his successor before the close of his own term) the unfortunate Adams found himself so frigid that an atmosphere in St. Petersburg by contrast was mild. Frowned upon by State Street and the circle of his old friends, Judge Dana had nevertheless continued his amiable intercourse with the errant Senator and the friendly intimacy of earlier years was, to a great extent, resumed. It was with keen regret that the friends parted when in 1809 John Quincy Adams returned once again to St. Petersburg taking with him the little namesake of the former American Agent, the little boy destined to follow in the footsteps of his father and god father with so much distinction.

A few weeks later he wrote to his former ward (Sunday, September 6, 1807):

> I have now to inform you that it hath pleased God who gave her to me as the greatest comfort of my life, to take her away, leaving myself, & our Children overwhelmed with the affliction at our irreparable loss. To me she was everything a wife could be. She died this day week, the 30th of Aug.: about 3:55 P. M., after a painful sickness, having completed the 56 year of her age on the 24 of the month, as she did the 34th of our connubial connection on the 5th.

The death of Mrs. Dana marked the close of her husband's career. From the company of his former friends—and the colleagues who, like Adams and Parsons, still survived as the "Strong Oaks" of another era—Dana seems to have withdrawn into a mysterious twilight of invalidism. A slender figure, wrapped in his "Russian furs he was still occasionally seen in the streets of Cambridge." But these appearances—as of a being of another time—were increasingly rare. Then the "Columbian Sentinel," April 27, 1811, bore the brief notice: "Hon. Francis Dana died Thursday Apr. 25, 1811." This was accompanied by a brief account of his career and the notation that "The late Chief Justice died of paralysis."

A letter from Mrs. John Adams to the wife of Judge Cushing (dated May 22nd) voiced the indignation of his friends that Dana's death had passed almost unperceived in the turmoil of events fast leading to the War of 1812:

> If my absent son had been in America the grave would not have thus silently closed over him. A gentleman who had sustained several public offices with reputation, and who for several years had filled that of Chief Justice of the

> State, which all who knew him acknowledged that he discharged with fidelity, and integrity, ably supporting the character of a learned judge and an upright man, suddenly taken out of the world, and not a solitary line to characterise his worth! His funeral obsequies unattended but by relatives and poll holders,—with a few scattering exceptions.

She then contrasted this quiet leave-taking with "the funeral tears pumpt up at the death of a man who fell in a *duel,*" and "the mock heroics of party, clergy, as well as laity" that Hamilton's death called forth. It was fitting that this faithful friend of the great clan with whose fortunes his own were so closely involved should find an Adams to write his elegy:

> And shall the man who would not blindly sacrifice to *any* party, descend to the grave, how great so ever his merit, without any honourable mention of Him? No, my friend: the sincere and heartfelt tribute of grateful remembrance embalms the ashes of him who is never mentioned but with the recollections of some virtue—some amiable trait—some benevolent purpose. The sweet recollection still flourishes, though he sleeps in dust.

Nor would Dana have wished for a more noisy tribute.

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Although many of the more important diplomatic dispatches and other documents connected with Francis Dana's mission are printed at length in Francis Wharton's great work on "The Revolutionary Diplomatic Correspondence of the United States," the principal sources upon which this study is based have been found in the Mss. Dana Papers. For a proper understanding of the negotiations which Dana was chosen to conduct, it is, moreover, necessary to refer to his private correspondence, notably, an intimate series of letters exchanged with John Adams. A selection from this correspondence was published some years ago in an article by Mrs. Henrietta Dana Skinner, which appeared in "Harper's Magazine," but many revealing letters are now for the first time printed. These have been found either in Dana's letter books, or as originals preserved in the Adams family archives.

It is to be regretted that, in the course of the earlier attempts to write a biography of Dana, important papers were, apparently, removed from his files. (A letter from Dana in the Gratz Mss. in Philadelphia intimates that among "other private papers" was a personal diary which has unfortunately disappeared.)

Respecting the important negotiations carried on by Dana concerning the Armed Neutrality, the author has made frequent use of Dr. James Brown Scott's well-known work, "The Armed Neutralities of 1780 and 1800." Another study especially valuable for its quotations from original Russian sources is a short study of "The First Armed Neutrality" by Constantine D. Kojouharoff. For an interesting chapter concerning the abortive Armed Neutrality of 1794, the reader is referred to Dr. S. F. Bemis' study of "Jay's Treaty."

Mss. Sources

NOTE. The documents quoted, unless otherwise indicated, are from the Dana Mss. (See below.)

Adams Mss.: These papers contain letters from Dana to John and J. Q. Adams (as noted above).

Dana Mss.: With the exception of a few documents and letters in the possession of the family these papers have been deposited in the library of the Massachusetts Historical Society. This collection also contains a number of letters from William Ellery.

Ellery Mss.: See above.

Gratz Mss.: This collection of autographs, etc., in the library of the Pennsylvania Historical Society contains several important letters from Francis Dana referring to the period of Valley Forge.

Jefferson Mss.: Letters in this collection, in the Library of Congress at Washington, D. C., contain certain references to Dana as noted in the text.

Morgan Mss.: The Morgan Library in New York City contains a few letters from Francis Dana, and a notable report written by the Committee of Conference, of which he was Chairman, at Valley Forge. This important collection also contains a series of interesting letters by Elbridge Gerry. (See text.)

Sparks Mss.: These papers and transcripts in the library of Harvard University contain references to Dana and the Lees. They also contain an interesting memorandum by Stephen Sayre addressed to Congress. (See text.)

Washington Mss.: These papers in the Library of Congress at Washington, D. C., contain references to Dana, notably Mss. reports and other documents concerning Valley Forge.

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INDEX

Adams, Abigail, 314, 318
Adams, Charles, 124
Adams, Charles Francis, 308, 384
Adams, James Truslow, 310
Adams, John, 19, 24, 34, 55, 278, 343
  admiration of Tsarina, 109
  appointed Minister to Holland, 148
  arrival in Paris, 85
  attempt to control foreign policy, 62
  barometric temperament, 221
  conflict with French Foreign Office, 119
  correspondence, 30
  diary, 14
  diplomatic success, 229
  experiences as American Minister, 230 *et seq.*
  failure of mission sent to France, 373
  grievance against Franklin, 89
  in consultation at Paris, 169
  in Paris, 65
  interest in armies, 77
  "isolation" policy, 299
  letters to Dana, 31
  letters to Minister of Foreign Affairs, 92
  on Stamp Act outbreak, 17
  opinion of diplomatists, 240
  prejudice against French, 252
  presidency of, 361
  residence in Holland, 124 *et seq.*
  suspicions of Franklin, 65
  tactless diplomacy of, 88
  travels in Spain, 69
Adams, John Quincy, asked to be Dana's secretary, 155
  beginning of foreign career, 307
  career in Senate, 384
  departure from Russia, 309
  diplomatic career, 314
  duties in Russia, 306
  early character, 311
  education, 156, 210, 306
  journey back to Holland, 310
  letter to Dana, 313
  no account of life in Russia, 200
  Russian experiences, 200 *et seq.*
  Russian Mission, 314 *et seq.*
  value of services to Dana, 210
Adams, Samuel, 20, 24, 34, 40, 60, 90
  political articles, 335
Alexander I, Tsar, 315, 375
Alien and Sedition Laws, 363
Alliance, 95
American Revolution, effect on European "balance," 196
  fashionable in Paris, 100
  influenced by Tsarina, 296
Amherst, General, 30
Anti-Federalist party, 337, 351, 354
Austria, bond of union with Russia, 145
  plans for Russian alliance, 190

Balance of power, European, disturbance of, 276
  efforts to maintain, 102
  efforts to secure, 192
  mechanics of, 249
  overthrown, 374
  upset by Catherine, 357
Bank, National, 348
Beaumarchais, Pierre, 61
Berlin, 163
Bernard, Governor, 16
Bezberodko, Alexander, 275
  authority, 205
  on Catherine's attitude toward America, 196, 284
Bibliography, 387
Bill of Rights, 342, 354
Black Prince, 119, 259
Bollav, William, 15
Bon Homme Richard, 94
Boston, rebel gangs, 12
  seventeenth century, 6
Boston Massacre, 18
Bourbon Family Pact, 72, 97, 185
Bowdoin, Governor, 334
Braddock, General, 15
Brandywine, Battle of the, 36
Burke, Edmund, 29
Burr, Aaron, 56, 380
Byland, Admiral, 122

Cabot, George, 362
Carlos, King, 72
Carroll, Charles, 44
Catherine the Great, Empress, 101
  admirers of, 266
  credit due for neutrality coalition, 107
  death, 374
  diminishing interest in Europe, 146
  diplomacy highly personal, 145
  distrust of democracy, 109, 214, 240
  effect of absence of, 174
  feminine fickleness in diplomacy, 118, 131
  general praise of, 117
  increasing Orientalism of, 227
  influence on American Revolution, 296
  jealousy of power, 198
  offers received for compliance, 193
  official mediatrix, 116
  opportunism of, 237
  paintings purchased in Italy, 111
  patroness of Armed Neutrality, 111
  personal appearance, 200
  preoccupation in later life, 199, 211
  refusal to be bribed, 194
  refusal to recognize America, 214
  watchful waiting policy at court of, 211
Chartres, Duchess of, 94
Chatham, Lord, 29
Choiseul, Duc d', 185
Cincinnati, Military Order of the, 337
Clubs, Political, 369 *et seq.*
Commerce, basis of international relations, 245
  changed attitude of Congress toward foreign, 301
  England's important place, 242
  in eighteenth century diplomacy, 189
  place in diplomacy, 220, 242
  right of free, 374
Common Law, Dana's championship of, 343
  English, 352
"Common Sense," Paine, 347
Congress, change in attitude toward Washington, 51
  criticism of Dana, 322
  demand for rights of American privateers, 119
  failure to supply funds to diplomats, 141
  impatience with American agents, 63
  instructions vague and unsatisfactory, 142
  "isolation" policies, 325
  lack of interest in international statesmanship, 147
  opposition to Washington, 38
Constantinople, coveted by Russia, 145, 222
Constitution, United States, effective, 356
  objections to first draft, 339
Constitutional Convention, 334 *et seq.*
Continental Army, improvements suggested, 52
  (*see also* Valley Forge)
Continental Congress, 30
"Conway Cabal," 39, 53
Cooper, Dr., 25
Copenhagen, 105
Corberon, French Minister to Russia, 177
Cornwallis, Lord, surrender of, 207
Corunna, 77
Crimea, 296
Cushing, Thomas, 120, 338

Dana, David, 2
Dana, Rev. Edmund, 14, 22, 317, 383
Dana, Francis, 1, 43
  Adams' advice to, 150, 259
  admiration of Tsarina, 109
  ancestry, 2
  appearance, 156, 344, 385
  arrival in St. Petersburg, 167
  at Harvard, 11
  belief in sea-power,
  causes of outcome of Russian Mission, 184
  character, 343
  charges to jury, 350
  conflict with Gerry, 336
  conflict with Hamilton, 57
  Congressional service, 327
  considered Catherine undependable, 215
  dealings with Ostermann, 286, 291
  death, 385
  death of wife, 384
  defense of "rebels," 20
  delegate to Continental Congress, 33
  disappointments in Russia, 172 *et seq.*, 202, 247
  disapproved of Paul Jones, 96
  disbelief in neutrality during struggle, 127

  discomforts suffered, 203
  discontent with Russian situation, 288
  efforts to increase diplomatists' salaries, 330
  final report on army conditions, 53
  first envoy of trade, 243
  interested in foreign legal systems, 76
  "isolation" policy, 299
  journal of travels, 66, 70 *et seq.*, 159 *et seq.*
  judgeship of, 333 *et seq.*
  lack of money for expenses, 141, 204
  law studies, 15
  letter to Livingston, 268
  life in Russia, 167 *et seq.*
  looks forward to a lawyer's career, 55
  made Minister to Russia, 129, 140
  marriage, 21
  meeting with Franklin, 30
  member of General Court, 32
  on Adams' negotiations, 135
  on committee to visit Washington at Valley Forge, 38
  opinion on feeling against England, 123
  French objections to Russian Mission, 149
  in Paris, 65 *et seq.*, 85, 87
  in rôle of spectator, 199
  outcome of Mission satisfactory, 319
  political affiliations, 332 *et seq.*, 346, 349
  poor health, 210, 222, 323, 335, 362
  regarding Frederick's letter, 209
  reports at Philadelphia, 30
  request for money, 269
  return to America, 317 *et seq.*
  Russian difficulties begin, 141
  secret mission to Engand, 23
  service to his state, 341
  shocked at Russian court life, 183
  sources of information, 274
  survey of diplomatic situation, 168
  tact and diplomacy of, 54
  travels in Spain, 69
  useful employment desired by, 138
  view of Rusian alliance, 116
  visit to Holland, 152
Dana, Richard, 3, 10, 24
  at Harvard, 11
  last years, 18
Dana, Richard Henry, 54
Dana, Stephen, 336
Danzig, 164
Deane, Silas, 61
Denmark, 276
Despenser, Lord, 26
Diderot, Denis, 117, 266
Dueling, 56
Dumas, Mr., 297

Ellery, William, 4, 21, 33, 117, 244, 343
Ellsworth, Justice, 373
Emerson, Ralph Waldo, 320
Emlen, Samuel, 43
England, change in Ministry, 235
  change in Russian attitude toward, 239
  claim to right of blockade, 103
  desire for alliance with Russia, 186
  efforts to crush sea-power of, 115
  efforts to influence Catherine, 191
  isolation dangerous, 191
  nations offended by, 104
  objection to American participation in Congress, 171
  "oppressions," 9
  peace commission to America, 54
  peace negotiations, 259 *et seq.*, 277 *et seq.*
  rapprochement with Russia sought, 235
  Russian alliance, 357
  seriousness of Russian situation, 114
  supremacy on the sea, 104
  territorial sop offered to Tsarina, 193
  war on Holland declared, 130
  war with France, 356
Essex Juntó, 333, 340, 344, 379
Estaing, Count d', 100
Europe, difficulties of communication, 213
European Congress, plans for, 169
  war menace, 281
Excise Duties, 7

Faneuil Hall, 19
Federalist party, 349, 384
  creed, 338
  eloquence of, 360
  growth of, 347
  in Congress, 361
  "legal persecutions" by, 369
  try to avoid war with England, 376
  without a leader, 379
Fielding, Admiral, 122
Fitzpatrick, on conditions at Valley Forge, 45

- *Flora,* 119
- Folsom, patriot, 44
- Ford, Worthington, 27
- Fowle, Daniel, 10
- Fox, Charles James, 235, 279
- France, alliance with America planned, 61
  - early negotiations, 104
  - high opinion of Franklin, 87
  - intervention in American struggle, 102
  - revolution, 354
  - rivalry of American agents, 61 *et seq.*
- Franco-American treaty of 1778, 61
- Franklin, Benjamin, 24, 278
  - American agent in Europe, 60 *et seq.*
  - a pronounced Francophile, 144
  - departure from London, 26
  - enemies of, 62
  - familiarity with diplomatic conditions, 270
  - opinion of American diplomacy, 148
  - personal *bonhomie,* 156
  - sincerity distrusted, 151
  - work in Paris, 61
- Franklin, Temple, 86
- Franklin, William Temple, 86
- Frederick of Denmark, King, 105
- Frederick the Great, 162, 169
  - dislike of England, 185
  - letter to Dana, 208
- French Alliance, 61
- French Revolution, 347, 355, 369

- Galitzin, Prince, 115, 135, 230
- Gates, General, 41
- George III, King, 26, 108, 195
- Genet, Edmond Charles, 65
- Gerard, French envoy, 54, 88
  - indiscretions of, 65
- Gerry, Elbridge, 55, 138, 265, 321, 334
  - conflict with Dana, 336
  - determination to quit public life, 267
  - on French Mission, 363
  - political fluctuations, 323
- "Gerrymander," 323
- Gibraltar, desired by Spain, 111
- Gore, Christopher, 20
- Gorham, Nathaniel, 334
- Grantham, Lord, 284
- Grasse, Admiral de, 219
- Great Britain (*see* England)
- Greco, Count, 309
- Grenville, Lord, 11, 357
- Gridley, historian, 21
- Grimm, Friedrich, 109, 117, 266
- Guichen, Admiral de, 219
- Gustave III, King, 109

- Hague, The, 119
- Hamilton, Alexander, 56, 347
  - "indiscretions" of, 358
  - party defection, 381
  - political gifts, 380
- Hancock, John, 19, 24, 55, 341
- Harris, James Howard, alarmed at feeling against England, 114
  - British agent at St. Petersburg, 109
  - diplomatic abilities, 187
  - diplomatic difficulties of, 190 *et seq.*
  - dislike of Sayre, 179
  - early diplomatic experience, 185
  - obstruction of Dana's efforts, 284
  - standing as diplomat, 176
  - use of bribes, 180, 196
  - used personal charms to secure favors, 184
- Harvard College, 2
  - custom of "placing" students, 11
- Henry, Patrick, 379
- "History of the Revolution," Warren, 325
- Holland, center of diplomatic efforts, 121
  - obstacles to recognition of American independence, 143
  - recognition of United States, 229
  - ships seized by England, 122
  - tied to England, 121
  - urged to join coalition, 108
  - violation of territory, 129
  - war with England, 130
- Hood, Admiral, 219
- Hooper, William, 29
- Howe, Lord, 30
- Huntington, Samuel, 125
- Hutchinson, Gov., 5

- "Independent Chronicle," 348, 364
- Indians, as allies, 15
  - to be used as auxiliaries, 49
- "Itinerary," Baker, 46
- Izard, patriot, 61

- Jackson, Jonathan, 130
- Jacobinism, in Europe, 374
  - in the United States, 346, 359, 363, 369
- Jay, John, 137, 149, 278, 357
- Jefferson, Thomas, 149, 314

  enthusiasm for French revolution, 357
Jennings, Edmund, 154, 181
Johannot, Samuel Cooper, 69, 80
Jones, John Paul, 90, 100
  in Paris, 94
Joseph II, Emperor, 144, 190, 227, 266
Judiciary, important rôle of, 350

Kent, Chancellor, 353
King, Rufus, 20, 334, 337, 375
"King's Friends," 24, 246
Kingston, 317
Knox, General, 335

Lafayette, Marquis de, 100, 214
Lanskoi, Tsarina's favorite, 221, 287, 291
Laurens, Henry, 38, 51, 56, 126, 129, 278
Lawyers, status in Massachusetts, 345
Lee, Arthur, 27, 61, 87, 105, 151, 162
  charge against Franklin, 62
Lee, Richard Henry, 41, 61, 335
Lee, William, 28, 63, 289
Lee, William Lightfoot, 28
Leipzig, 162
Livingston, Robert R., 268
  letters to Dana, 218, 234, 258, 264, 301
  unfamiliarity with Russian conditions, 218
Loring, Mrs., 43
Louis XVI, King, 54
Lovell, James, 38, 51, 60, 64
Lowell, John, 14
Luzerne, Chevalier de la, 148

Mackintosh, rebel leader, 16
Madison, James, 337
Marbois, Marquis de, 265
Marie Antoinette, Queen, 94
Maria Theresa, Empress, 144
  complaint against Tsarina, 112
Markov, Arkadi, 230
Marshall, John, 362, 373
Massachusetts, Assembly of 1776, 33
  constitutional convention, 340
  constitutional plans, 334
Mifflin, Brig.-Gen., 41
Mohilev, 144
Monroe, James, 58, 361
"Monster of Monsters, The," 10
Montmorin, Count, 147
Morison, Samuel, 336
Morris, Gouverneur, 44, 52, 361
Morris, Robert, 120
Morris, Roosevelt, 44
Mothskin, Chief Johockin, 49

Napoleon I, 383
Navy, American, founding of, 94
  privateering exploits, 94, 108, 119, 359
Nelson, Lord, 376
Neutralité Armée (*see* Neutral League)
Neutral League, 102 *et seq.*, 357
  American attitude toward, 266
  critical moment for, 224
  danger of becoming pro-English, 110
  efforts to secure Holland to, 122
  growth of, 216
  international police powers, 111
  prime motive underlying, 112
  to be reconstituted, 375
  treaty useless, 299
"New England Quarterly," 336
Newspapers, partisanship of, 348
New York City, 15
North, Lord, 30, 54, 246

Old South Meeting House, 19
Oliver, Andrew, 13, 17
Orlov, Prince, 188
Ostermann, Count, 197
  approached by Dana, 284
  dealings with Dana, 286, 291
  instruction to agent, 231
  official position, 205
Oswald, English negotiator, 250
Otis, H. G., 21
Otis, James, 19, 24

Paine, Thomas, pamphlets, 347
Pamphlets, Political, 10, 335, 347, 354
  revolutionary, 10
  trial of editor, 364
Panine, Count, 107, 174
  beyond corruption, 189
  loss of power, 144, 167
  personal life, 198
  portrait of, 197
  reason for downfall, 198
  struggle for power, 188
  won over to France, 113
Parsons, Theophilus, 21, 98, 123, 382
Paul I, Tsar, 375
Paul, Grand Duke, 199
Pemberton, Samuel, 3
Peter the Great, Tsar, 242
Pickering, John, 362
Pickering, Timothy, 41

Pinckney, Charles C., 361, 373
Pitt, William, 357
Poniatowski, Prince, 374
Potemkin, Prince, 114, 168, 180, 374
  at apex of power, 197
  insistence on bribery, 189, 204
  pro-British, 285
  reason for influence, 188
Prussia, description of Berlin, 163
  soldiers' pay, 163
Putnam, General, 34

Quincy, Edmund, 3
Quincy, Josiah, 14

Randolph, John, 357
Reed, Joseph, 44
"Report of Manufactures A," Hamilton, 348
Revolution (*see* American *and* French)
Reynevals Mission, 280
Rochambeau, Jean Baptiste de, 100
Rockingham, Marquis of, 236, 279
Rodney, Admiral, 129
Roumiantzov, Russian Vice-Chancellor, 315
Rousseau, Jean-Jacques, 100
Ruddock, John, 3
Rush, Justice, 373
Russia, alliance with England, 357
  bond of union with Hapsburgs, 145
  charges made for signing treaties, 269
  climate, 204
  commerce interfered with, 109
  court procedure, 203
  culture borrowed from Western Europe, 183
  desire to secure Constantinople, 145, 222
  entente with Austria, 190
  fickleness of foreign policy, 223
  intricacies of commerce, 243
  looks to the East, 145, 193, 215
  navy weak, 193
  people innately Asiatic, 183
  quality of diplomatic corps, 176
  rôle in European Congress, 170
  sea-power menace to England, 113
  Tartar campaign, 275
  weakness of the military, 275

St. Claire, General, 39
St. Nicholas, 111
St. Petersburg, 167
  description of, 201
  Hermitage Palace, 202
St. Vincent, Joseph, 70
Sans-culottes, 356
Sayre, Stephen, 27, 179
  pseudo-American agent, 105
Schuyler, General, 39
Sea-power, importance of, 102
"Sentinel, The," 380
Serapis, 94
Seven Years' War, 103, 162, 186
Shays' Rebellion, 333
Simolin, Johann, 236
"Sons of Liberty," 12
Spain, American attempt to secure recognition, 137
  seizure of neutral ships, 111
  war with England, 72
Stamp Act, 7, 11
States' Rights, 340
Steuben, Baron, 163
Stiles, Ezra, 25, 30
Stormont, Lord, 114, 190
Strong, Caleb, 334
Sullivan, James, 366
Sweden, 276
  acceptance of Neutral League, 216

"Tales of a Grandfather," Hawthorne, 18
Talleyrand, Prince, 363, 379
Taylor, Dr. John, 339
Thaxter, diary, 70
  secretary, 69
Thompson, General, 339
Ticonderoga, 39
Treaties, cost of Russian, 269
  French-English, 279
Treaty of 1762, 192
Treaty of 1778, 102
Treaty of 1783, 298
Tories, 5, 21
"Total Eclipse of Liberty, A," 10
Townshend Acts, 7
Travel, hardships of, 33
Trowbridge, Edmund, 3
Trowbridge, Lydia, 3
Trumbull, Josiah, 29
Tudor, John, 18

United States, active foreign policy urged on, 128
  attitude toward "entangling alliances," 261
  Department of Foreign Affairs organized, 217
  desire to establish trade relations, 242
  future foreign relations, 281

importance of European recognition, 249
no real understanding of statecraft, 183
peace negotiations, 250 *et seq.*, 277 *et seq.*
refusal to become involved in European quarrels, 316
resented by Europe, 237
struggle for neutral rights, 355
taxes imposed on colonies, 7

Valley Forge, 36 *et seq.*
  impregnability of, 42
  sufferings of army at, 43
Varnum, General, 36
Vauguyon, Duc, de, 129, 135
Verac, Marquis de, 168, 226
  attitude toward Dana, 170 *et seq.*
  diplomatic abilities, 176
Vergennes, Count, 93
  diplomatic finesse of, 118, 132
  distrust of Neutral League, 127
  far-reaching system of, 107
  instructions to Verac, 178
  little understanding of vital questions, 103
  opinion of Tsarina's policy, 227
  plans for European Congress, 169
Versailles, 88
Vorontsov, Count, 326, 375

Waliszewski, court chronicler, 287
Walmsbury, Earl of (*see* Harris, James Howard)
Ward, Rev. Mr., 352
War of 1812, 377
Warren, Joseph, 19, 30
Warren, Mrs. Mercy, 325
Washington, George, 360
  at Valley Forge, 36
  death, 378
  under investigation by Congress, 38 *et seq.*
  victory over Cabal, 60
Western, F. S., 382
Western, Mrs. W., 358, 376
Whigs, 21
Whitemarsh, 43
Wilkes, John, 23, 179
Wilkesite Movement, results, 27
  riot, 22 *et seq.*
Williams, Jonathan, 63

Yorke, Sir Joseph, 132, 134

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